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ADMINISTRATIVE CODE
OF THE
COMMONWEALTH OF PENNSYLVANIA



Act of April 9, 1929, P. L. 177 as amended,
Effective September 1, 1935



Compiled by
S. EDWARD HANNESTAD, *Chief Compiler*
LEGISLATIVE REFERENCE BUREAU



Published by
Department of Property and Supplies
Bureau of Publications
Market at Tenth, Harrisburg.

1935

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Department of Property and Supplies,
Bureau of Publications,
Harrisburg, Pa.

Gentlemen :

In accordance with your request, I am transmitting herewith an indexed compilation of the Administrative Code of 1929, in which has been inserted, at their proper places, all amendments that became or remained effective on September 1, 1935.

During the regular session of the Legislature in 1933, the special session in 1933-34, and the regular session in 1935, administrative agencies, included in the Code of 1929, have been abolished, or their names changed, without amendment or repeal of the code sections establishing these agencies. In other instances, new agencies that properly fit into the scheme of the code have been created by separate acts, without amending the Administrative Code.

These changes, directly affecting the structure of the State Government outlined in the Administrative Code are as follows:

(a) Anatomical Board in the Department of Health, re-established as an independent, self-sustaining agency by Act of May 22, 1933, P. L. 849.

(b) State Aeronautics Commission in the Department of Internal Affairs, functions transferred to the Department of Revenue by Act of May 25, 1933, P. L. 1001.

(c) Pennsylvania Liquor Control Board, created as an independent administrative board by Act of November 29, 1933, P. L. 13.

(d) Pennsylvania Alcohol Permit Board in the Department of Welfare, functions transferred to Pennsylvania Liquor Control Board by Act of December 8, 1933, P. L. 57.

(e) Milk Control Board, created as an independent administrative board by Act of January 2, 1934, P. L. 174, amended by Act of April 30, 1935, P. L. 96.

(f) State Bridge Commission in the Department of Highways, name changed to State Bridge and Tunnel Commission by Act of June 12, 1935, P. L. 735.

(g) State Board of Undertakers, transferred from the Department of Public Instruction to the Department of Health by Act of July 19, 1935, P. L. 1324.

J. H. FERTIG, Director.
287722 Legislative Reference Bureau.

AN ACT

Providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined. (Approved April 9, 1929, P. L. 177.)

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ARTICLE I

SHORT TITLE AND GENERAL REORGANIZATION PROVISIONS

Section 1. Short Title.—Be it enacted, &c., That this act shall be known, and may be cited, as “The Administrative Code of 1929.”

Section 2. Certain Existing Boards and Commissions Abolished.—To accomplish the purposes of this act, the following departmental administrative boards and commissions and advisory boards and commissions are hereby abolished, namely: State Anthracite Mine Cave Commission, Board of Trustees of Central State Penitentiary, Wyoming Valley Memorial Park Commission, General George Gordon Meade Statue Commission, Robert Morris Monument Commission, Camp Curtin Monument Commission, and Gettysburg Battlefield Memorial Commission.

Section 3. Documents.—Where an existing board or commission is abolished by this act, all books, papers, maps, charts, plans, records, and all other equipment, in the possession of such board or commission, or of any member or officer thereof, shall be delivered to the head of the administrative department or departmental administrative board or commission to which its rights, powers, duties, and obligations are transferred.

ARTICLE II

ADMINISTRATIVE ORGANIZATION

Section 201. Executive Officers, Administrative Departments, and Independent Administrative Boards and Commissions.—The executive and administrative work of this Commonwealth shall be performed by the Executive Department, consisting of the Governor, Lieutenant Governor, Secretary of the Commonwealth, Attorney General, Auditor General, State Treasurer, Secretary of Internal Affairs, and Superintendent of Public Instruction; by the Executive Board, and the Pennsylvania State Police; by the following administrative departments: Department of State, Department of Justice, Department of the Auditor General, Treasury Department, Department of Internal Affairs, Department of Public Instruction, Department of Military Affairs, Insurance Department, Department of Banking, Department of Agriculture, Department of Forests and Waters, Department of Mines, Department of Highways, Department of Health, Department of Labor and Industry, Department of Welfare, Department of Property and Supplies, and Department of Revenue; and by the following independent administrative boards and commissions: Board of Game Commissioners, Board of Fish Commissioners, and the Public Service Commission of the Commonwealth of Pennsylvania.

All of the provisions of this act, which apply generally to administrative departments, or generally except to the Department of the Auditor General and the Treasury Department, shall apply to the Executive Board and to the Pennsylvania State Police. (Reenacted without change June 1, 1931, P. L. 350.)

Note: Without amendment of the Administrative Code, two new independent administrative boards have been created, viz: Pennsylvania Liquor Control Board by Act of Nov. 29, 1933, P. L. 13, and Milk Control Board by Act of Jan. 2, 1934, P. L. 174, amended by Act of Apr. 30, 1935, P. L. 96.

Section 202. Departmental Administrative Boards, Commissions, and Offices.—The following boards, commissions, and offices are hereby placed and made departmental administrative boards, commissions, or offices, as the case may be, in the respective administrative departments mentioned in the preceding section, as follows:

In the Department of State,
State Employes' Retirement Board;

In the Department of Justice,
- Board of Pardons,
Board of Commissioners on Uniform State Laws;

In the Treasury Department,
Board of Finance and Revenue;

In the Department of Internal Affairs,
Board of Property,
State Aeronautics Commission; (see note to Sec. 407)

In the Department of Public Instruction,
State Council of Education,
Pennsylvania State Board of Censors,
Public School Employes' Retirement Board,
Pennsylvania Historical Commission,
Board of Trustees of Thaddeus Stevens Industrial School,
Board of Trustees of Pennsylvania State Oral School for the Deaf,
Board of Trustees of Home for Training in Speech of Deaf Children Before They Are of School Age, which shall hereafter be known as Board of Trustees of Home for Training in Speech of Deaf Children,
Board of Trustees of Pennsylvania Soldiers' Orphan School,
Board of Trustees of West Chester State Teachers' College,
Board of Trustees of Millersville State Teachers' College,
Board of Trustees of Kutztown State Teachers' College,
Board of Trustees of East Stroudsburg State Teachers' College,
Board of Trustees of Mansfield State Teachers' College,
Board of Trustees of Bloomsburg State Teachers' College,
Board of Trustees of Shippensburg State Teachers' College,
Board of Trustees of Lock Haven State Teachers' College,
Board of Trustees of Indiana State Teachers' College,
Board of Trustees of California State Teachers' College,
Board of Trustees of Slippery Rock State Teachers' College,
Board of Trustees of Edinboro State Teachers' College,
Board of Trustees of Clarion State Teachers' College,
Board of Trustees of Cheyney Training School for Teachers,
State Board of Medical Education and Licensure,
State Board of Pharmacy,
State Dental Council and Examining Board,
State Board of Optometrical Examiners,
State Board of Osteopathic Examiners.
Osteopathic Surgeons' Examining Board,
State Board of Examiners for the Registration of Nurses,
State Board of Undertakers, (see note to Sec. 419)

State Board of Veterinary Medical Examiners,
State Board for the Examination of Public Accountants,
State Board of Examiners of Architects,
Anthracite Mine Inspectors' Examining Board,
Mine Inspectors' Examining Board for the Bituminous Coal Mines
of Pennsylvania,
State Registration Board for Professional Engineers;

In the Department of Military Affairs,
Armory Board of the State of Pennsylvania,
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home,
State Athletic Commission;

In the Department of Banking,
Board to License Private Bankers,
Pennsylvania Securities Commission;

In the Department of Agriculture,
State Farm Products Show Commission;

In the Department of Forests and Waters,
Water and Power Resources Board,
Geographic Board,
Lake Erie and Ohio River Canal Board,
Pennsylvania State Park and Harbor Commission of Erie,
Washington Crossing Park Commission,
Valley Forge Park Commission,
Fort Washington Park Commission;

In the Department of Mines,
Anthracite Mine Inspectors,
Bituminous Mine Inspectors;

In the Department of Highways,
State Bridge Commission; (See note to Sec. 449)

In the Department of Health,
Sanitary Water Board,
Anatomical Board; (See note to Sec. 440)

In the Department of Labor and Industry,
Workmen's Compensation Board,
Workmen's Compensation Referees,
State Workmen's Insurance Board;

In the Department of Welfare,
State Council for the Blind,
Pennsylvania Alcohol Permit Board. (See note to Sec. 445)
Board of Trustees of Eastern State Penitentiary,
Board of Trustees of Western State Penitentiary,
Board of Trustees of Pennsylvania Industrial Reformatory, here-
after to be known as Board of Trustees of Pennsylvania In-
dustrial School,
Board of Trustees of State Industrial Home for Women,
Board of Trustees of Pennsylvania Training School,

Board of Trustees of Allentown State Hospital,
Board of Trustees of Danville State Hospital,
Board of Trustees of Fairview State Hospital,
Board of Trustees of Harrisburg State Hospital,
Board of Trustees of Norristown State Hospital,
Board of Trustees of Warren State Hospital,
Board of Trustees of Wernersville State Hospital,
Board of Trustees of Torrance State Hospital,
Board of Trustees of Ashland State Hospital,
Board of Trustees of Blossburg State Hospital,
Board of Trustees of Coaldale State Hospital,
Board of Trustees of Connellsville State Hospital,
Board of Trustees of Hazleton State Hospital,
Board of Trustees of Locust Mountain State Hospital,
Board of Trustees of Nanticoke State Hospital,
Board of Trustees of Philipsburg State Hospital,
Board of Trustees of Scranton State Hospital,
Board of Trustees of Shamokin State Hospital,
Board of Trustees of Laurelton State Village,
Board of Trustees of Pennhurst State School,
Board of Trustees of Polk State School,
Board of Trustees of Cumberland Valley State Institution for
Mental Defectives,
Board of Trustees of Selinsgrove State Colony for Epileptics;
In the Department of Property and Supplies,
Board of Commissioners of Public Grounds and Buildings,
State Art Commission.

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act. (Amended June 1, 1931, P. L. 350).

Section 203. Advisory Boards and Commissions.—The following advisory boards and commissions are placed in and made parts of the respective administrative departments, as follows:

In the Department of Military Affairs,
State Military Reservation Commission,
State Veterans Commission;

In the Department of Forests and Waters,
State Forest Commission,
State Parks Commission,
Bushy Run Battlefield Commission;

In the Department of Health,
Advisory Health Board;

In the Department of Labor and Industry,
Industrial Board;

In the Department of Welfare,
State Welfare Commission;

In the Department of Property and Supplies,
General Gahsha Pennypacker Monument Commission. (Amended
June 1, 1931, P. L. 350.)

Section 204.—Executive Board.—The Executive Board shall consist of the Governor, who shall be Chairman thereof, and six other heads of administrative departments to be designated from time to time by the Governor.

Four members of the board shall constitute a quorum.

Section 205. Pennsylvania State Police.—The Pennsylvania State Police shall consist of a superintendent, the State police force, as now or hereafter authorized by law, and such deputies, chiefs, statisticians, clerks, experts and other assistants, as the superintendent, with the approval of the Governor, shall deem necessary for the work of the force.

The superintendent of the Pennsylvania State Police shall receive a salary at the rate of seven thousand five hundred dollars per annum.

The State police force shall receive such compensation as is now or may hereafter be fixed by law.

The deputies, chiefs, statisticians, clerks, experts, and other assistants, engaged in the work of the Pennsylvania State Police, shall be appointed by the superintendent, and shall receive such compensation as shall be fixed by the superintendent, with the approval of the Governor, which compensation shall, however, conform to the standards established by the Executive Board.

The members of the State police force shall be appointed by the superintendent.

Section 206. Department Heads.—Each administrative department shall have as its head an officer who shall, either personally, by deputy, or by the duly authorized agent or employe of the department, and subject at all times to the provisions of this act, exercise the powers and perform the duties by law vested in and imposed upon the department.

(a) The following officers shall be the heads of the administrative departments following their respective titles:

- Secretary of the Commonwealth, of the Department of State;
- Attorney General, of the Department of Justice;
- Auditor General, of the Department of the Auditor General;
- State Treasurer, of the Treasury Department;
- Secretary of Internal Affairs, of the Department of Internal Affairs;
- Superintendent of Public Instruction, of the Department of Public Instruction;
- Adjutant General, of the Department of Military Affairs;
- Insurance Commissioner, of the Insurance Department;
- Secretary of Banking, of the Department of Banking;
- Secretary of Agriculture, of the Department of Agriculture;
- Secretary of Forests and Waters, of the Department of Forests and Waters;
- Secretary of Mines, of the Department of Mines;
- Secretary of Highways, of the Department of Highways;
- Secretary of Health, of the Department of Health;
- Secretary of Labor and Industry, of the Department of Labor and Industry;
- Secretary of Welfare, of the Department of Welfare;

Secretary of Property and Supplies, of the Department of Property and Supplies:

Secretary of Revenue, of the Department of Revenue.

Section 207. Appointment.—The Governor shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate, appoint:

(a) The Secretary of the Commonwealth, the Attorney General, the Superintendent of Public Instruction, the Adjutant General, the Insurance Commissioner, the Secretary of Banking, the Secretary of Agriculture, the Secretary of Forests and Waters, the Secretary of Mines, the Secretary of Highways, the Secretary of Health, the Superintendent of the Pennsylvania State Police, the Secretary of Labor and Industry, the Secretary of Welfare, the Secretary of Property and Supplies, the Secretary of Revenue, and the members of all independent administrative boards and commissions.

The Adjutant General shall have the rank of Brigadier General of the Adjutant General's Department in the Pennsylvania National Guard. No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard, or equivalent length of service in the United States Army, at least five years of which service shall have been as a commissioned officer. In ascertaining the service, herein required, the time a person served in the army of the United States during any war, in which the United States was engaged, shall be computed double.

(b) Except as in this act otherwise provided, the members of all departmental administrative bodies, boards, and commissions, and the officers who shall fill the departmental administrative offices mentioned in this article.

(c) Except as in this act otherwise provided, the members of all advisory boards and commissions. (Amended May 21, 1935, P. L. 217).

Section 208. Terms of Office.—The terms of office of the persons appointed by the Governor under the preceding section shall be as follows:

(a) The Secretary of the Commonwealth and the Attorney General shall serve during the pleasure of the Governor.

(b) The term of the Superintendent of Public Instruction shall be four years.

(c) Except as in this act otherwise provided, the heads of other administrative departments, the Superintendent of the Pennsylvania State Police, the members of independent administrative boards and commissions, of departmental administrative boards and commissions, and of advisory boards and commissions, and departmental administrative officers, shall hold office for terms of four years, from the third Tuesday of January next following the election of a Governor, and until their successors shall have been appointed and qualified: Provided, That the terms of any persons whose terms of office are fixed by this subsection, who are appointed prior to the third Tuesday of January, one thousand nine hundred and thirty-one, shall expire upon that date, or as soon thereafter as their successors shall have been appointed and qualified.

Section 209. Compensation of the Governor, Lieutenant Governor, and Heads of Departments.—Annual salaries shall be payable in equal semi-monthly installments, as follows:

- To the Governor, eighteen thousand dollars.
- To the Lieutenant Governor, eight thousand dollars.
- To the Secretary of the Commonwealth, ten thousand dollars.
- To the Attorney General, twelve thousand dollars.
- To the Auditor General, twelve thousand dollars.
- To the State Treasurer, twelve thousand dollars.
- To the Secretary of Internal Affairs, ten thousand dollars.
- To the Superintendent of Public Instruction, twelve thousand dollars.
- To the Adjutant General, ten thousand dollars.
- To the Insurance Commissioner, ten thousand dollars.
- To the Secretary of Banking, ten thousand dollars.
- To the Secretary of Agriculture, ten thousand dollars.
- To the Secretary of Forests and Waters, ten thousand dollars.
- To the Secretary of Mines, ten thousand dollars.
- To the Secretary of Highways, twelve thousand dollars.
- To the Secretary of Health, ten thousand dollars.
- To the Secretary of Labor and Industry, ten thousand dollars.
- To the Secretary of Welfare, ten thousand dollars.
- To the Secretary of Property and Supplies, ten thousand dollars.
- To the Secretary of Revenue, twelve thousand dollars.

Neither the Governor, Lieutenant Governor, nor the head of any administrative department, shall receive any additional compensation for any services rendered to the Commonwealth in any capacity.

Section 210. Compensation of Members of Administrative Boards and Commissions.—(a) Annual salaries shall be payable in equal semi-monthly installments as follows:

- To the Commissioner of Fisheries, six thousand dollars.
- To the Chairman of The Public Service Commission of the Commonwealth of Pennsylvania, ten thousand five hundred dollars.
- To the members of The Public Service Commission of the Commonwealth of Pennsylvania, other than the chairman, each ten thousand dollars.

(b) The members of the Board of Game Commissioners, and of the Board of Fish Commissioners, other than the Commissioner of Fisheries, shall not receive any compensation.

(c) Except as in this act otherwise provided, the members of departmental administrative boards and commissions, and of advisory boards and commissions, shall serve without compensation.

Section 211. Employes of the Governor's Office.—The Governor shall appoint, to serve at his pleasure, a Secretary to the Governor, a Budget Secretary, and such consultants, experts, accountants, investigators, clerks, stenographers, messengers, watchmen, and other employes, as may be required for the proper conduct of the work of his office, and of the Executive Board, and shall fix their salaries, wages, fees, or other compensation.

Section 212. Bureaus and Divisions.—The heads of the several administrative departments, except the Auditor General and State Treas-

urer, and the several independent administrative boards and commissions shall, subject to the approval of the Executive Board, establish such bureaus or divisions in their respective departments, boards, or commissions, as may be required for the proper conduct of the work of such departments, boards or commissions: Provided, That there shall always be, in the Department of Internal Affairs, a Bureau of Industrial Statistics.

Section 213. Deputies.—The head of any administrative department, except the Auditor General and State Treasurer, shall have the power, with the approval of the Governor, to appoint and fix the compensation of a deputy, or such number of deputies as the Executive Board shall approve, who shall, in the absence of the head of such department, have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department, except the power to appoint deputies, bureau or division chiefs, or other assistants or employes, and who may, at any time, exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department: Provided, however, That any such deputy shall not have the right to exercise any power or perform any duty which the Constitution of the Commonwealth of Pennsylvania requires the head of his department personally to exercise or perform.

Whenever there shall be a vacancy in the office of the head of any department, such deputy as the Governor shall designate in writing shall exercise the powers and perform the duties of the head of the department until the vacancy is filled.

With the approval of the Governor in writing, the head of any department may authorize a named deputy to serve in his stead on any departmental administrative board or commission, except the Board of Pardons, of which such department head is a member ex officio.

Section 214. Employment and Compensation of Directors, Bureau Chiefs, and Other Employes.—The heads of the several administrative departments, except the Auditor General and State Treasurer, and the independent administrative boards and commissions, shall appoint and fix the compensation of such directors, superintendents, bureau or division chiefs, assistant directors, assistant superintendents, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, marshals, clerks, stenographers, bookkeepers, messengers, and other assistants and employes as may be required for the proper conduct of the work of their respective departments, boards, or commissions. Except as otherwise provided in this act, the heads of the respective administrative departments shall appoint and fix the compensation of such clerks, stenographers, and other assistants, as may be required for the proper conduct of the work of any departmental administrative bodies, boards, commissions, or officers, and of any advisory boards or commissions established in their respective departments.

The number and compensation of all employes appointed under this section shall be subject to approval by the Governor, and, after the Executive Board shall have fixed the standard compensation for any kind, grade, or class of service or employment, the compensation of

all persons in that kind, grade, or class, appointed hereunder, shall be fixed in accordance with such standard.

Section 215. Extra Compensation Prohibited.—No employe in any administrative department, independent administrative board or commission, or departmental administrative board or commission, employed at a fixed compensation, shall be paid for any extra services, unless expressly authorized by the Executive Board prior to the rendering of such services.

Section 216. Expenses.—Subject to the rules and regulations of the Executive Board, the heads of administrative departments, the members of independent administrative boards and commissions, the members of departmental administrative bodies, boards, and commissions, the members of advisory boards and commissions, all administrative officers, and all persons employed under the provisions of this act, shall be entitled to receive their traveling and other necessary expenses, actually incurred in the performance of their public duties, upon requisition of the head of the appropriate administrative department, or of the appropriate administrative board or commission, but, in the case of departmental administrative boards and commissions, such requisitions shall be subject to the approval of the departments with which such boards or commissions are respectively connected. Whenever an employe of any department, board, or commission, who shall have been in the employment of the same department, board or commission for more than one year, shall be required by the head of the department, or by the board or commission by which he or she is employed, to change his or her residence from one place in Pennsylvania to another such place, such employe may, with the approval of the Governor in writing, receive the expenses of moving his or her household goods to his or her new residence.

Section 217. Qualifications.—All deputies, directors, superintendents, and bureau or division chiefs, and other employes, shall be persons especially qualified for their positions by training and experience in the particular kind of work which their official duties will require them to perform.

Section 218. Oath of Office.—All persons appointed by the Governor under the provisions of this act, and all deputy heads of administrative departments, shall, before entering upon the duties of their offices, take and subscribe the constitutional oath of office, which shall be filed in the office of the Secretary of the Commonwealth.

Section 219. Fidelity Bonds.—Before entering upon the duties of their respective offices or positions, bonds, conditioned for the faithful performance of their respective duties, in such penal sums as shall be fixed by the *Executive Board*, upon recommendation of the Governor, shall be executed and filed with the State Treasurer by all heads of administrative departments, but the amount of the bond shall not be less than five thousand dollars (\$5,000).

Similar bonds, in such penal sums as shall be fixed by the Executive Board, shall be executed and filed with the State Treasurer by—

(a) Such members of independent administrative boards or commissions as the Executive Board shall require;

(b) Such members of departmental administrative boards or commissions as the heads of the departments with which such boards or commissions are respectively connected shall, with the approval of the Executive Board, prescribe;

(c) Such officers and employes of administrative departments, or of independent administrative boards or commissions, as the heads of such departments or such boards or commissions shall, with the approval of the Executive Board, prescribe;

(d) Such officers and employes of departmental administrative boards or commissions as the departments with which such boards or commissions are connected shall, with the approval of the Executive Board, prescribe.

All bonds required to be given under this section shall, before being accepted by the State Treasurer, be approved by the Department of Justice, and, unless the Commonwealth shall establish its own indemnity fund, all such bonds shall be given with security approved by the Department of Justice. If the Commonwealth shall establish its own indemnity fund, the Executive Board may, nevertheless, require any bond given hereunder to be executed by a surety or sureties satisfactory to the Department of Justice. (Amended June 3, 1933, P. L. 1470.)

Section 220. Departmental Offices.—Each administrative department, and each independent administrative board and commission, shall maintain a central office at Harrisburg, in rooms assigned to it by the Board of Commissioners of Public Grounds and Buildings. The head of any department, or any independent administrative board or commission, may, with the approval of the Governor, establish and maintain, at places other than Harrisburg, in quarters assigned by the Board of Commissioners of Public Grounds and Buildings, branch offices for the conduct of any one or more functions of such department, board, or commission, or of any departmental administrative or advisory board or commission in such department.

Section 221. Office Hours.—All administrative offices of the State Government shall be open for the transaction of public business at least eight hours each day, except Saturdays, Sundays and legal holidays. On Saturdays, when not legal holidays, such offices shall be open for business for at least three hours. The hours when such offices shall open and close shall from time to time be determined by the Executive Board.

Section 222. Work-Hours and Vacations.—Each employe of an administrative department, of an independent administrative board or commission, or of a departmental administrative board or commission, if employed for continuous service, shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-eight hours per week. Such employe shall be entitled, during each calendar year, to fifteen days' leave of absence, with full pay, and, in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships, the extent of such leave with pay may, in the discretion of the head of the department or of the board or commission, be extended, but any such extension

shall not be for more than fifteen days, except with the approval of the Executive Board, in the case of employes of departments or of independent administrative boards or commissions, and, in the case of employes of departmental administrative boards or commissions, of the departments with which such boards or commissions are respectively connected. This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave, regardless of his or her continuation thereafter upon the rolls of the department, board or commission. The annual leave of absence with pay shall be exclusive of Sundays and legal holidays.

ARTICLE III

ORGANIZATION OF INDEPENDENT ADMINISTRATIVE BOARDS AND COMMISSIONS

(Note: Without amendment of the Administrative Code, two new independent administrative boards have been created, viz: Pennsylvania Liquor Control Board by Act of Nov. 29, 1933, P. L. 13, and Milk Control Board by Act of Jan. 2, 1934, P. L. 174, amended by Act of Apr. 30, 1935, P. L. 96.)

Section 301. Board of Game Commissioners.—The Board of Game Commissioners shall consist of eight competent citizens of this Commonwealth, no two of whom shall be from the same senatorial district. The board shall annually elect a president and a vice-president from among its members. It shall also appoint, to serve at its pleasure, and, with the approval of the Governor, fix the compensation of, an executive secretary, who need not be a member of the board, and who shall attend to the administrative work of the board.

Five members of the board shall constitute a quorum.

Members of the board shall be appointed to serve for terms of six years.

Section 302. Board of Fish Commissioners.—The Board of Fish Commissioners shall consist of a Commissioner of Fisheries and seven other citizens of the Commonwealth.

Five members of the board shall constitute a quorum.

The Commissioner of Fisheries shall be the president and executive officer of the board and chief superintendent of all hatching stations and fish cultural establishments belonging to the State.

Members of the board shall be appointed to serve for terms of six years.

Section 303. The Public Service Commission of the Commonwealth of Pennsylvania.—The Public Service Commission of the Commonwealth of Pennsylvania shall consist of seven members, who shall have the qualifications and be appointed as now provided by law.

A member designated by the Governor, as now provided by law, shall be the chairman of the commission during such member's term of office. When present, the chairman shall preside at all meetings, but in his absence, the member who has served on the Commission for the longest period of time shall preside and shall exercise, for the time being, all of the powers of the chairman. In addition to the authority now conferred by law, the chairman shall have power, as often as he may deem the work of the commission requires, (a) to designate the time and place for the conducting of investigations, inquiries and hear-

ings; (b) to assign cases to a commissioner or commissioners for hearing, investigation, inquiry, study, or other similar purpose; (c) to assign cases to special agents or examiners for the taking and receiving of evidence; and (d) to direct and designate officers and employes of the commission to make investigations, inspections, inquiries, studies, and other like assignments, for report to the commission.

The commission may appoint a secretary to hold office at its pleasure. Such secretary, if appointed, shall have such powers and shall perform such duties, not contrary to law, as the commission shall prescribe, and shall receive such compensation as the commission, with the approval of the Governor, shall determine. He shall have power and authority to designate from time to time one of the clerks appointed by the commission to perform the duties of the secretary during his absence, and the clerk so appointed shall possess, for the time so designated, the powers of the secretary of the commission.

The terms of the members of the commission shall be ten years.

The offices of counsel, of marshal, and of investigator of accidents, as they exist under The Public Service Company Law, are hereby retained, appointments thereto to be made as now provided by law. The compensation of counsel, marshal, and investigator of accidents shall be fixed by the commission, with the approval of the Governor.

ARTICLE IV

ORGANIZATION OF DEPARTMENTAL ADMINISTRATIVE BOARDS AND COMMISSIONS AND OF ADVISORY BOARDS AND COMMISSIONS

Section 401. Boards of Trustees of State Institutions.—The board of trustees of each of the State institutions hereinafter mentioned shall consist of nine members, and the head of the department having supervision over the institution ex officio.

The terms of the members of each such board shall be four years, and until their successors are qualified.

Five members of any such board shall constitute a quorum.

Each such board shall annually elect a president and vice-president from among its members, and a secretary and treasurer who need not be members of the board. The secretary and treasurer may be the same person. This section shall apply to:

Board of Trustees of Thaddeus Stevens Industrial School,
Board of Trustees of Pennsylvania State Oral School for the Deaf,
Board of Trustees of Home for Training in Speech of Deaf Children,
Board of Trustees of Pennsylvania Soldiers' Orphan School,
Board of Trustees of West Chester State Teachers' College,
Board of Trustees of Millersville State Teachers' College,
Board of Trustees of Kutztown State Teachers' College,
Board of Trustees of East Stroudsburg State Teachers' College,
Board of Trustees of Mansfield State Teachers' College,
Board of Trustees of Bloomsburg State Teachers' College,
Board of Trustees of Shippensburg State Teachers' College,
Board of Trustees of Lock Haven State Teachers' College,
Board of Trustees of Indiana State Teachers' College,
Board of Trustees of California State Teachers' College,
Board of Trustees of Slippery Rock State Teachers' College,

Board of Trustees of Edinboro State Teachers' College,
 Board of Trustees of Clarion State Teachers' College,
 Board of Trustees of Cheyney Training School for Teachers,
 Board of Trustees of Pennsylvania Soldiers' and Sailors' Home,
 Board of Trustees of Eastern State Penitentiary,
 Board of Trustees of Western State Penitentiary.
 Board of Trustees of Pennsylvania Industrial School,
 Board of Trustees of State Industrial Home for Women,
 Board of Trustees of Pennsylvania Training School,
 Board of Trustees of Allentown State Hospital,
 Board of Trustees of Danville State Hospital,
 Board of Trustees of Farview State Hospital.
 Board of Trustees of Harrisburg State Hospital,
 Board of Trustees of Norristown State Hospital,
 Board of Trustees of Warren State Hospital,
 Board of Trustees of Wernersville State Hospital,
 Board of Trustees of Torrance State Hospital,
 Board of Trustees of Ashland State Hospital,
 Board of Trustees of Blossburg State Hospital,
 Board of Trustees of Coaldale State Hospital,
 Board of Trustees of Connellsville State Hospital,
 Board of Trustees of Hazleton State Hospital,
 Board of Trustees of Locust Mountain State Hospital,
 Board of Trustees of Nanticoke State Hospital,
 Board of Trustees of Philipsburg State Hospital,
 Board of Trustees of Scranton State Hospital,
 Board of Trustees of Shamokin State Hospital,
 Board of Trustees of Laurelton State Village,
 Board of Trustees of Pennhurst State School,
 Board of Trustees of Polk State School,
 Board of Trustees of Cumberland Valley State Institution for Mental Defectives,
 Board of Trustees of Selinsgrove State Colony for Epileptics.
 (Amended June 1, 1931, P. L. 350.)

Section 402. State Employees' Retirement Board.—The State Employees' Retirement Board shall consist of the Secretary of the Commonwealth, who shall be chairman thereof, the State Treasurer, one member who shall be appointed by the Governor, and two members of the State Employees' Retirement Association, who shall be elected from among their number in a manner to be approved by the board.

A vacancy occurring during a term shall be filled, for the unexpired term, by the appointment or election of a successor, in the same manner as his or her predecessor was appointed or elected.

The member of the board appointed by the Governor shall serve until his successor is appointed. The members elected by the State Employees' Retirement Association shall be elected for terms of three years.

The members of the board elected by the State Employees' Retirement Association shall not suffer any loss of salary or wages through serving on the board.

Section 403. Board of Pardons.—The Board of Pardons shall consist of the Lieutenant Governor, Secretary of the Commonwealth, Attorney General, and Secretary of Internal Affairs.

Three members of the board shall constitute a quorum.

Section 404. Board of Commissioners on Uniform State Laws.—The Board of Commissioners on Uniform State Laws shall consist of three persons, learned in the law, and the Attorney General, ex officio.

The terms of members of the board shall be four years, from the dates of their respective appointments.

Section 405. Board of Finance and Revenue.—The Board of Finance and Revenue shall consist of the State Treasurer, who shall be chairman thereof, the Attorney General, the Auditor General, and the Secretary of Revenue.

Three members of the board shall constitute a quorum.

The board shall elect a secretary, who need not be a member of the board, and such other officers and employes as may be necessary for the proper conduct of its work.

The powers and duties vested in and imposed upon the board shall in all cases be exercised or performed by a majority of the board.

The board shall keep full and exact minutes of its proceedings, which shall at all times be open to the inspection of the Governor and the General Assembly.

Section 406. Board of Property.—The Board of Property shall consist of the Secretary of Internal Affairs, the Secretary of the Commonwealth, and the Attorney General. Two members of the board shall constitute a quorum.

Section 407. State Aeronautics Commission.—The State Aeronautics Commission shall consist of the Secretary of Internal Affairs, who shall be chairman thereof, and six other members.

The Governor shall designate one of the members of the commission as vice-chairman, and the commission shall elect a secretary who need not be a member thereof.

The vice-chairman of the commission shall receive such salary as shall be fixed by the commission, with the approval of the Governor.

Each commissioner, at the time of his appointment and qualification, shall be a resident of the Commonwealth of Pennsylvania, and shall have been a qualified elector therein for a period of at least one year next preceding his appointment.

The members of the commission first appointed under this act, shall continue in office for terms of one, two, three, four, five, and six years, respectively, and until their respective successors shall be duly appointed and shall have qualified, but their successors shall be appointed for terms of six years.

Four members of the commission shall be a quorum. When four members act as a quorum for any purpose, including the making of any order or the ratification of any act done or order made by one or more of the commissioners, they must act unanimously. No vacancy in the commission shall impair the right of a quorum of the commissioners to exercise all the rights and perform all the duties of the commission.

No commissioner, and no employe, appointee, or official engaged in the service of, or in any manner connected with, said commission shall hold any office or position, or be engaged in any business, employment,

or vocation, the duties of which are incompatible with the duties of his office or employment as commissioner, or in the service or in connection with the work of the commission. No commissioner shall participate in any hearing or proceeding in which he has any direct or indirect pecuniary interest.

Every commissioner, the secretary of the commission and every individual employed or appointed to office under, in the service of, or in connection with, the work of the commission, is hereby forbidden to solicit, suggest, request, or recommend, directly or indirectly, to any person engaged in commercial flying doing business in this Commonwealth, or to any officer, attorney, agent, or employe thereof, the appointment of any individual to any office, place or position in, or the employment of any individual in, any capacity, by said commercial flyer or common carrier.

Any investigation, inquiry, or hearing, which the commission has power to undertake or hold, may be undertaken or held by or before any one or more of the commissioners. All investigations, inquiries, or hearings, before or by any such commissioner or commissioners, shall be and be deemed to be the investigations, inquiries, and hearings of the commission. Any determination, ruling, or order of a commissioner or commissioners, upon any such investigation, inquiry, or hearing, undertaken or held by him or them, shall not become and be effective, until approved and confirmed by at least a quorum of the commission and ordered to be filed in its office. Upon such confirmation and order, such determination, ruling, or order shall be the determination, ruling, or order of the commission. In any investigation, inquiry, or hearing, which may hereafter be instituted, the commission is hereby authorized to employ a special agent or examiner, who shall have the power to administer oaths and examine witnesses and receive evidence in any locality which the commission, having regard to the public convenience and the proper discharge of its functions and duties, may designate. The testimony and evidence so taken or received shall have the same force and effect as if taken or received by the commission, or any one or more of the commissioners as above provided.

The chairman of the commission shall have power, as often as he may deem the work of the commission requires, (a) to designate the time and place for the conducting of investigations, inquiries, and hearings; (b) to assign cases to a commissioner or commissioners for hearing, investigation, inquiry, study, or other similar purpose; (c) to assign cases to special agents, or examiners, or inspectors, for the taking and receiving of evidence; and (d) to direct and designate officers and employes of the commission to make investigations, inspections, inquiries, studies, and other like assignments, for report to the commission.

The vice-chairman of the commission shall, in the absence of the chairman, perform his duties, and shall at any time perform such duties as the chairman shall have requested him in writing to perform, and, as to such duties, shall have authority equal to that of the chairman.

The secretary of the commission shall have such powers and perform such duties, not contrary to law, as the commission shall pre-

scribe. The secretary shall have power and authority to designate from time to time one of the clerks appointed by the commission to perform the duties of the secretary during his absence, and the clerk so appointed shall possess, for the time so designated, the powers of the secretary of the commission.

The commission, or a quorum thereof, shall hold stated meetings at least once a month during the year, at its principal office, and may hold meetings at any time and at any place within this Commonwealth.

(*Note:* Although not specifically abolished, the State Aeronautics Commission has passed out of existence, since the Act of May 25, 1933, P. L. 1001, transferred its functions to the Department of Revenue and repealed the Act of April 25, 1929, P. L. 724, under which it operated.)

Section 408. State Council of Education.—The State Council of Education shall consist of the Superintendent of Public Instruction, who shall be the president and chief executive officer thereof, and nine other members.

All appointments shall be for terms of six years.

The Superintendent of Public Instruction and five other members shall constitute a quorum. The council may elect a secretary, who need not be a member thereof.

Section 409. Pennsylvania State Board of Censors.—The Pennsylvania State Board of Censors shall consist of three residents and citizens of Pennsylvania, well qualified by education and experience to act as censors of motion-picture films and stereoptican views or slides. One member of the board shall be designated as chairman, one member as vice-chairman, and the other member as secretary thereof.

The chairman of the board shall receive a salary of four thousand eight hundred dollars per annum, and the vice-chairman and secretary shall each receive a salary of four thousand five hundred dollars per annum.

Two members of the board shall constitute a quorum.
(Amended June 1, 1931, P. L. 350.)

Section 410. Public School Employees' Retirement Board.—The Public School Employees' Retirement Board shall consist of the Superintendent of Public Instruction, who shall be chairman thereof, the State Treasurer, one member who shall be appointed by the Governor, three members of the School Employees' Association elected from among their number in a manner to be approved by the board, and one member, not an officer or employe of the State, who shall be elected by the board.

A vacancy, occurring during a term, shall be filled, for the unexpired term, by the appointment or election of a successor in the same manner as his or her predecessor.

Of the members of the Public School Employees' Retirement Board, the member who is appointed by the Governor shall serve until his successor is appointed. The members elected by the School Employees' Association shall be elected for terms of three years. The member elected by the board shall be elected annually to serve for a term of one year.

The members of the board elected by the School Employees' Associa-

tion shall not suffer any loss of salary or wages through serving on the board.

Section 411. Pennsylvania Historical Commission.—The Pennsylvania Historical Commission shall consist of the Superintendent of Public Instruction, ex officio, and five citizens of the Commonwealth.

Three members of the commission shall constitute a quorum.

The commission shall select from their number a chairman and shall elect a secretary who need not be a member of the commission.

The secretary shall receive such compensation as the commission shall, with the approval of the Superintendent of Public Instruction, determine.

Section 412. State Board of Medical Education and Licensure.—The State Board of Medical Education and Licensure shall consist of seven members, two of whom shall be the Superintendent of Public Instruction and the Secretary of Health, ex officio. Of the five remaining members, one shall be appointed from the Medical Society of the State of Pennsylvania, one from the Homeopathic Medical Society of the State of Pennsylvania, and one from the Eclectic Medical Society of the State of Pennsylvania. The two remaining members shall not be of the same school or system of practice.

Each of the five members appointed shall, at the time of his appointment, be licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery, and shall have practiced the same in this Commonwealth for a period of not less than ten years prior to his appointment. No member of the board shall be a member of the faculty of any undergraduate school or college or university teaching medicine or surgery.

The terms of members of the board shall be four years from the respective dates of their appointment.

Four members of the board shall constitute a quorum.

The board shall select, from among their number, a chairman, and shall elect a secretary who need not be a member of the board.

Each member of the board, other than the Superintendent of Public Instruction and the Secretary of Health, shall receive fifteen dollars per diem, while actually engaged in the work of the board. The secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Superintendent of Public Instruction.

Section 413. State Board of Pharmacy.—The State Board of Pharmacy shall consist of the Superintendent of Public Instruction, ex officio, and five persons, who shall be appointed for terms of six years, from among the most skillful pharmacists in Pennsylvania, who are not teachers or instructors in any educational institution teaching pharmacy. Each appointee must have been registered as a pharmacist in Pennsylvania at least ten years previous to his appointment, and he must be actually engaged in conducting a pharmacy.

Three members of the board shall constitute a quorum. The board shall select from their number a chairman, and shall elect a secretary who need not be a member of the board.

The members of the board, other than the Superintendent of Public Instruction, shall be paid fifteen dollars per diem, when actually

engaged in the performance of their official duties, and the secretary shall receive such reasonable compensation as the board shall determine, with the approval of the Superintendent of Public Instruction.

Section 414. State Dental Council and Examining Board.—The State Dental Council and Examining Board shall consist of the president of the Pennsylvania State Dental Society, the Superintendent of Public Instruction, the Secretary of Health, and six persons, whose term of office shall be six years.

The Pennsylvania State Dental Society shall have power to nominate, from its membership, at least double the number of candidates required to fill the vacancies occurring annually in the membership of the State Dental Council and Examining Board. Such candidates shall have been engaged in the actual practice of dentistry in this Commonwealth during a period of not less than ten years. The Governor shall appoint members to fill all vacancies, occurring from any cause, only from the candidates nominated as aforesaid. No member of the faculty of a dental college shall be eligible to appointment as a member of the State Dental Council and Examining Board. In the event of failure of the Pennsylvania State Dental Society to nominate candidates, as aforesaid, the Governor shall appoint members in good standing of the said society without other restriction.

The members of the State Dental Council and Examining Board shall annually select one of their number to act as chairman, and shall elect a secretary who need not be a member of the board.

Each of the members of the State Dental Council and Examining Board, other than the Superintendent of Public Instruction, the Secretary of Health, and the president of the Pennsylvania State Dental Society, shall receive fifteen dollars per diem, while actually engaged in the work of the board, and the secretary shall receive such reasonable compensation as the board shall determine, with the approval of the Superintendent of Public Instruction.

Section 415. State Board of Optometrical Examiners.—The State Board of Optometrical Examiners shall consist of the Superintendent of Public Instruction, ex officio, and seven members, all of whom shall be optometrists, citizens of Pennsylvania, who possess the requisite qualifications to practice optometry under the laws of this Commonwealth, and who shall have been so practicing in this Commonwealth during the five years immediately preceding their appointment.

The terms of members of the board shall be four years from the respective dates of their appointment.

No member of the board shall be a member of the faculty of any undergraduate school or college teaching optometry.

Four members of the board shall constitute a quorum, and the board shall select, from its membership, a chairman, and shall elect a secretary who need not be a member of the board.

The members of the board, other than the Superintendent of Public Instruction, shall receive fifteen dollars per diem for each day actually devoted to the work of the board, and the secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Superintendent of Public Instruction.

Section 416. State Board of Osteopathic Examiners.—The State

Board of Osteopathic Examiners shall consist of the Superintendent of Public Instruction, ex officio, and five members, each of whom shall be a graduate of a legally incorporated and reputable college of osteopathy, and shall have been licensed to practice osteopathy under the laws of this Commonwealth, and shall not be in any manner financially interested in or connected with the faculty or management of any osteopathic school or college, and shall have been engaged in the practice of osteopathy in this Commonwealth for a period of at least three years.

The members of the board, qualified as aforesaid, shall be appointed from a full list of the members in good standing of the Pennsylvania Osteopathic Association, which list shall be furnished to the Governor by the president and secretary of such association annually. In the case of the failure of the Pennsylvania Osteopathic Association to submit such a list to the Governor, the Governor shall appoint members in good standing of such association without restriction.

The terms of members of the board shall be four years from the respective dates of their appointment.

Three members of the board shall constitute a quorum, and the board shall annually select, from among its number, a chairman, and shall elect a secretary who need not be a member of the board.

The members of the board, other than the Superintendent of Public Instruction, shall receive fifteen dollars per diem, when actually engaged in the performance of their official duties, and the secretary shall receive such reasonable compensation as the board shall determine, with the approval of the Superintendent of Public Instruction.

Section 417. Osteopathic Surgeons' Examining Board.—The Osteopathic Surgeons' Examining Board shall consist of five members and the Superintendent of Public Instruction, ex officio. One of the members shall be a deputy or other officer or employe of the Department of Public Instruction, who shall have charge of the department's work in connection with pre-professional and professional credentials. Such deputy, officer or employe shall be designated by the Superintendent of Public Instruction. Two of the members of the board shall be appointed, from four persons nominated by the State Board of Medical Education and Licensure, who, at the time of their appointment, are licensed and qualified to practice medicine and surgery, and have practiced the same in this Commonwealth for a period of not less than ten years immediately prior to their appointment. The remaining two members shall be appointed, from four persons nominated by the State Board of Osteopathic Examiners, who, at the time of their appointment, are licensed and qualified to practice osteopathy, and have practiced the same in this Commonwealth for a period of not less than ten years, and who have practiced surgery for a period of not less than five years, immediately prior to their appointment.

Three members of the board shall constitute a quorum. The board shall select from its membership a chairman, and shall elect a secretary who need not be a member of the board.

The members of the board, other than the Superintendent of Public Instruction and the members designated by him, shall receive fifteen dollars per diem for each day actually devoted to the work of the board, and the secretary shall receive such reasonable compensation

as shall be determined by the board, with the approval of the Superintendent of Public Instruction.

Section 418. State Board of Examiners for Registration of Nurses.—The State Board of Examiners for Registration of Nurses shall consist of the Superintendent of Public Instruction, ex officio, and five members, who shall be registered nurses, graduated from schools of nursing where practical and theoretical instruction is given in general surgical and medical nursing, and who shall have been engaged in nursing in the Commonwealth of Pennsylvania for at least five years since registration.

The Governor shall, upon the expiration of the term of office of any member, appoint a person, with the above specified qualifications, from a list of not less than ten names submitted to him by the board of directors of the Pennsylvania State Nurses' Association, for a term of six years, and until a successor is appointed and qualified. Vacancies shall be filled in like manner.

Three members of the board shall constitute a quorum, and the board shall select, from among its members, a chairman, and shall elect a secretary who need not be a member of the board.

The board, with the approval of the Superintendent of Public Instruction, shall also appoint and fix the compensation of one or more State educational advisors of schools of nursing, who shall have the same qualifications as the members of the board.

The members of the board, other than the Superintendent of Public Instruction, shall receive fifteen dollars per diem, when actually engaged in the transaction of official business, and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction. (Amended April 29, 1935, P. L. 91).

Section 419. State Board of Undertakers.—The State Board of Undertakers shall consist of the Superintendent of Public Instruction, ex officio, and five persons, who shall be practicing undertakers. The terms of members of the board shall be six years.

Three members of the board shall constitute a quorum. The board shall select from among their number a chairman, and shall elect a secretary who need not be a member of the board.

Each member of the board, other than the Superintendent of Public Instruction, shall receive fifteen dollars per diem, when actually engaged in the transaction of official business.

The secretary of the board shall receive such reasonable compensation as the board may determine, with the approval of the Superintendent of Public Instruction.

(Note: The first paragraph of this section is in effect repealed by the Act of July 19, 1935, P. L. 1324, which transfers the State Board of Undertakers from the Department of Public Instruction to the Department of Health, and provides for the membership of the Board and for their appointment and terms.)

Section 420. State Board of Veterinary Medical Examiners.—The State Board of Veterinary Medical Examiners shall consist of the Superintendent of Public Instruction, ex officio, and five members, who shall be of good standing in the veterinary profession, and shall be graduates of a legally incorporated and reputable veterinary school.

They shall have practiced veterinary medicine for at least five years immediately preceding their appointment.

Three members of the board shall constitute a quorum.

The board shall select, from among their number, a chairman, and shall elect a secretary who need not be a member of the board.

Each member of the board, other than the Superintendent of Public Instruction, shall receive fifteen dollars per diem, while actually engaged in the transaction of official business, and the secretary shall receive such reasonable compensation as the board shall determine, with the approval of the Superintendent of Public Instruction.

Section 421. State Board of Examiners of Public Accountants.—The State Board of Examiners of Public Accountants shall consist of the Superintendent of Public Instruction, *ex officio*, and five members, two of whom shall be appointed from the eastern part of the State, two from the western part, and one from the central part. Three of them shall be certified public accountants, holding degrees of the same from the Commonwealth of Pennsylvania. The other two shall be practicing attorneys, in good standing in any of the courts of the Commonwealth.

The terms of the members of the board shall be four years from the respective dates of their appointment.

Three members of the board shall constitute a quorum.

The board shall select, from among their number, a chairman, and shall elect a secretary who need not be a member of the board.

Each member of the board, other than the Superintendent of Public Instruction, shall receive fifteen dollars per diem, when actually engaged in the work of the board, and the secretary shall receive such reasonable compensation as the board shall determine, with the approval of the Superintendent of Public Instruction.

Section 422. State Board of Examiners of Architects.—The State Board of Examiners of Architects shall consist of the Superintendent of Public Instruction, *ex officio*, and five members, all of whom shall be architects, who have been in active practice in this Commonwealth for not less than ten years prior to their appointment.

The terms of members of the board shall be six years.

Three members of the board shall constitute a quorum.

The board shall annually select from among their number a president, and shall elect a secretary who need not be a member of the board.

Each member of the board, except the Superintendent of Public Instruction, shall receive fifteen dollars per diem, while actually engaged in the work of the board, and the secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Superintendent of Public Instruction.

Section 423. Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania.—The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall consist of the Superintendent of Public Instruction, *ex officio*, the Secretary of Mines, two mining engineers, who shall have had at least five years' experience in the bituminous mines of Pennsylvania, and three members, who shall have passed successfully examinations qualifying them

to act as inspectors or mine foremen in bituminous mines generating explosive gas, and shall have had at least five years' practical experience as miners in the bituminous mines of Pennsylvania. All members of the board shall be at least thirty years of age.

The Secretary of Mines shall be chairman of the board.

The board shall elect a secretary, who need not be a member of the board.

Each member of the board, other than the Superintendent of Public Instruction and the Secretary of Mines, shall receive fifteen dollars per diem, while actually engaged in the performance of the work of the board, and the secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Superintendent of Public Instruction: Provided, That the Secretary of Mines shall have the right to determine, from time to time, the maximum number of days for which the members of the board entitled thereto shall receive compensation.

Each member of the board, except the Superintendent of Public Instruction, shall receive fifteen dollars per diem, while actually engaged in the work of the board, and the secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Superintendent of Public Instruction.

Section 424. Anthracite Mine Inspectors' Examining Board.—The Anthracite Mine Inspectors' Examining Board shall consist of the Superintendent of Public Instruction, ex officio, the Secretary of Mines, two mining engineers, who shall have had at least five years' experience in the anthracite mines of Pennsylvania, and three members who shall be coal miners in actual practice and shall have had at least five years' practical experience in the anthracite mines of Pennsylvania.

All members of the board shall be at least thirty years of age.

The Secretary of Mines shall be chairman of the board.

The board shall elect a secretary who need not be a member of the board.

Each member of the board, other than the Superintendent of Public Instruction and the Secretary of Mines, shall receive fifteen dollars per diem, while actually engaged in the performance of the work of the board, and the secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Superintendent of Public Instruction: Provided, That the Secretary of Mines shall have the right to determine, from time to time, the maximum number of days for which the members of the board entitled thereto shall receive compensation.

Section 425. State Registration Board for Professional Engineers.—The State Registration Board for Professional Engineers shall consist of the Superintendent of Public Instruction, ex officio, and five members, all of whom shall be registered professional engineers and full corporate members in good standing in at least one of the following societies: American Society of Civil Engineers, American Institute of Mining and Metallurgical Engineers, American Society of Mechanical Engineers, or American Institute of Electrical Engineers. The members of the board shall be so selected that not more than two of them shall be members of the same society. Each member of the

board shall be a citizen of the United States and a resident of this Commonwealth, shall have been engaged in the practice of the profession of engineering for at least ten years, and shall have been in responsible charge of engineering work for at least five years.

The terms of members of the board shall be six years.

Three members of the board shall constitute a quorum.

The board shall select from their number, annually, a president, and shall elect a secretary who need not be a member of the board.

Each member of the board, except the Superintendent of Public Instruction, shall receive fifteen dollars per diem, when actually attending to the work of the board, and the secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Superintendent of Public Instruction.

Section 426. Armory Board of the State of Pennsylvania.—The Armory Board of the State of Pennsylvania shall consist of the Governor, the Adjutant General, and five other persons, of whom three shall be officers of the National Guard of Pennsylvania.

The Adjutant General shall be chairman of the board.

The board shall select a secretary, who need not be a member of the board.

Four members of the board shall constitute a quorum.

Each member of the board, except the Governor and the Adjutant General, shall receive a salary at the rate of twelve hundred dollars per annum.

Section 427. State Athletic Commission.—The State Athletic Commission shall consist of three members, who shall be appointed for terms of two years, and the Adjutant General, ex officio.

Each member of the commission, except the Adjutant General, shall receive a salary of five thousand dollars per annum.

Two members of the commission shall constitute a quorum, and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission.

The commission may appoint such number of deputies as shall be approved by the Executive Board, whose compensation shall be fixed by the commission, with the approval of the Governor.

The commission may, with the approval of the Adjutant General, appoint a secretary, who shall receive a salary to be fixed by the commission, with the approval of the Governor.

Section 428. Board to License Private Bankers.—The Board to License Private Bankers shall consist of the Secretary of Banking, who shall be chairman thereof, the Secretary of the Commonwealth, and the State Treasurer.

Section 429. Pennsylvania Securities Commission.—The Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking, ex officio.

The members of the commission shall constitute a quorum, and no action of the commission shall be valid unless it shall have the concurrence of at least two members. A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the commission.

The Governor shall designate one of the members of the commission

as the chairman thereof, and the Secretary of Banking, with the approval of the Governor, shall appoint a secretary, who shall receive such salary as the Secretary of Banking, with the approval of the Governor, shall determine.

The chairman of the commission shall receive a salary at the rate of seven thousand five hundred dollars per annum. The other members of the commission, except the Secretary of Banking, shall receive salaries at the rate of seven thousand dollars per annum.

Section 430. State Farm Products Show Commission.—The State Farm Products Show Commission shall consist of the Governor, the Secretary of Agriculture, another officer of the Department of Agriculture to be designated by the Secretary of Agriculture, an officer of the Department of Public Instruction to be designated by the Superintendent of Public Instruction, the dean of the School of Agriculture of Pennsylvania State College, the director of agricultural extension of Pennsylvania State College, and three other persons.

The terms of those members of the commission who are appointed by the Governor shall be four years.

The association known as "State Farm Products Show Committee," shall have the right to nominate, from its membership, at least double the number of candidates required to fill any vacancies which may occur in the membership of the State Farm Products Show Commission, and the Governor shall appoint members to fill such vacancies only from the candidates nominated as aforesaid. In the event, however, that said committee shall fail to make and submit to the Governor nominations to fill vacancies, the Governor may appoint any citizen of Pennsylvania to fill such vacancies.

The Secretary of Agriculture shall be chairman of the commission, and the commission shall elect a secretary and a treasurer who need not be members thereof. The same person may be secretary and treasurer of the commission.

Five members of the commission shall constitute a quorum.

Section 431. Water and Power Resources Board.—The Water and Power Resources Board shall consist of five members, four of whom shall be the Secretary of Forests and Waters, the Secretary of Health, the Commissioner of Fisheries, and a member of The Public Service Commission of the Commonwealth of Pennsylvania, to be designated by the Governor. The fifth member shall be an engineer, and shall receive compensation for his services at such rate per diem as shall be fixed by the other members of the board, but such compensation shall not exceed three thousand dollars per annum.

The Secretary of Forests and Waters shall be chairman of the board.

Section 432. Geographic Board.—The Geographic Board shall consist of the Secretary of Forests and Waters, who shall be the chairman thereof, the Secretary of Highways, the president of the Pennsylvania Historical Commission, and such officers of the Department of Internal Affairs as shall be designated by the Governor.

Three members of the board shall constitute a quorum.

Section 433. Lake Erie and Ohio River Canal Board.—The Lake Erie and Ohio River Canal Board shall consist of the Secretary of

Forests and Waters, ex officio, and seven members, three of whom may be nonresidents of Pennsylvania.

The Governor shall designate one member of the board as chairman, and the board shall elect a secretary.

Four members of the board shall constitute a quorum.

Section 434. Pennsylvania State Park and Harbor Commission of Erie.—The Pennsylvania State Park and Harbor Commission of Erie shall consist of the Secretary of Forests and Waters, the Secretary of Internal Affairs, the Commissioner of Fisheries, ex officio, and nine other persons, of whom two shall be appointed by the council of the City of Erie.

The commission shall annually elect a chairman and a secretary.

Five members of the commission shall constitute a quorum.

Section 435. Washington Crossing Park Commission.—The Washington Crossing Park Commission shall consist of the Secretary of Forests and Waters, ex officio, and ten other persons.

The commission shall annually elect a chairman and a secretary.

Six members of the commission shall constitute a quorum.

Section 436. Valley Forge Park Commission.—The Valley Forge Park Commission shall consist of the Secretary of Forests and Waters, ex officio, and thirteen other persons.

The commission shall annually elect a chairman and a secretary.

Seven members shall constitute a quorum.

Section 437. Fort Washington Park Commission.—The Fort Washington Park Commission shall consist of the Commissioners of Fairmount Park, Philadelphia, and the Secretary of Forests and Waters, ex officio.

The commission shall annually elect a chairman and a secretary.

Seven members of the Commission shall constitute a quorum.

Section 438. Mine Inspectors.—There shall be as many anthracite mine inspectors, and as many bituminous mine inspectors, as may now or hereafter be provided by law. All such mine inspectors shall be appointed, respectively, from among persons holding valid certificates of qualification issued by the Anthracite Mine Inspectors' Examining Board, or the Examining Board for the Bituminous Coal Mines of Pennsylvania.

The manner of appointing mine inspectors, their qualifications, and their terms of office, shall be as may now or hereafter be provided by law.

Each mine inspector shall receive a salary at the rate of four thousand eight hundred dollars per annum.

Section 439. Sanitary Water Board.—The Sanitary Water Board shall consist of the Secretary of Health, who shall be chairman thereof, the Secretary of Forests and Waters, the Commissioner of Fisheries, and three other members.

Four members of the board shall constitute a quorum.

Section 440. Anatomical Board. —The Anatomical Board of the State of Pennsylvania shall consist of the professors of anatomy, the professors of surgery, the demonstrators of anatomy, and the demou-

strators of surgery, of the medical and dental schools and colleges of this Commonwealth, which are now or may hereafter become incorporated, together with one representative from each of the unincorporated schools of anatomy or practical surgery within this Commonwealth, in which there are or, from time to time, at the time of the appointment of such representatives, shall be not less than five scholars.

The Secretary of Health shall be a member of the board, *ex officio*.

The board shall effect such organization and elect such officers as it shall from time to time determine.

(*Note:* Although not specifically abolished as an agency of the Department of Health, the Anatomical Board was reestablished as an independent agency by the Act of May 22, 1933, P. L. 849.)

Section 441. Workmen's Compensation Board.—The Workmen's Compensation Board shall consist of three members, of whom the Governor shall designate one as chairman. The Secretary of Labor and Industry shall be, *ex officio*, a member of the board. Two members of the board shall be a quorum, and no action of the board shall be valid unless it shall have the concurrence of at least two members. A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board.

The Secretary of Labor and Industry, with the approval of the Governor, shall appoint a secretary to the Workmen's Compensation Board, who shall receive such salary as the Secretary of Labor and Industry, with the approval of the Governor, shall determine.

The Chairman of the Workmen's Compensation Board shall receive a salary at the rate of nine thousand dollars per annum. The other members of the board, except the Secretary of Labor and Industry, shall receive salaries at the rate of eight thousand five hundred dollars per annum.

Section 442. Workmen's Compensation Referees.—There shall be, in the Department of Labor and Industry, as many Workmen's Compensation Referees as, in the judgment of the Governor and of the Secretary of Labor and Industry, shall be necessary properly to administer the workmen's compensation laws of the Commonwealth. Such referees shall be subject to the direction and control of the Workmen's Compensation Board. The board shall assign them to the various workmen's compensation districts, and shall prescribe from time to time the duties to be performed by them.

Each Workmen's Compensation Referee shall receive a salary at the rate of five thousand dollars per annum.

Section 443. State Workmen's Insurance Board.—The State Workmen's Insurance Board shall consist of the Secretary of Labor and Industry, who shall be the chairman thereof, the State Treasurer, and the Insurance Commissioner.

Section 444. State Council for the Blind.—The State Council for the Blind shall consist of seven members, of whom three shall be the Secretary of Welfare, the Superintendent of Public Instruction, and the Secretary of Labor and Industry. Of the other four members, one at least shall be a blind person.

The terms of members shall be four years from the dates of their respective appointments.

No paid employe of any school, institution, or other agency, carrying on work for the blind, shall be eligible for appointment.

The council for the blind shall annually elect from its members a chairman. The Secretary of Welfare shall be the secretary and executive officer of the council.

Four members of the council shall constitute a quorum.

At least four regular meetings of the council shall be held each year. Special meetings may be called jointly by the chairman and the secretary, and shall be called by the chairman on the written request of any three of the appointed members of the council.

Section 445. Pennsylvania Alcohol Permit Board.—The Pennsylvania Alcohol Permit Board shall consist of the Secretary of Welfare, the Secretary of Health, and the Attorney General.

Two members of the board shall constitute a quorum.

The board shall select, from among its members, a chairman, and may elect a secretary who need not be a member of the board.

None of the regular employes of the Department of Welfare shall be authorized or permitted to engage or assist in the work of the board.

(Note: Although not specifically abolished, the Pennsylvania Alcohol Permit Board has passed out of existence, since the Act of Dec. 8, 1933, P. L. 57, amending the Act of Feb. 19, 1926, P. L. 16, substituted the Pennsylvania Liquor Control Board as the agency to administer the law theretofore administered by the Alcohol Permit Board.)

Section 446. Board of Commissioners of Public Grounds and Buildings.—The Board of Commissioners of Public Grounds and Buildings shall consist of the Governor, the Auditor General, and the State Treasurer.

Section 447. State Art Commission.—The State Art Commission shall consist of five citizens of this Commonwealth, of whom the Governor shall designate one as chairman, and another as secretary of the commission who need not be a member thereof.

Three members shall constitute a quorum.

Section 448. Advisory Boards and Commissions.—The advisory boards and commissions, within the several administrative departments, shall be constituted as follows:

(a) The State Military Reservation Commission shall consist of the Governor, the Major General commanding the National Guard of Pennsylvania, *any Major General who commands, has commanded, or shall hereafter command, the National Guard of Pennsylvania, and who shall retire from the service subsequent to the first day of January, one thousand nine hundred and thirty-three, regardless of such retirement*, the Adjutant General, the Brigadier Generals commanding brigades, the Chief of Staff of the Twenty-eighth Division, and two other members to be appointed by the Governor.

The commission shall elect from among its members a chairman and a secretary.

(b) The State Veterans' Commission shall consist of the Adjutant General, ex-officio, and five members, all of whom shall have served in

the armed forces of the United States while a state of war existed between the United States of America and another sovereign power, and shall be members in good and regular standing of a Pennsylvania branch, post, lodge, or club, of a recognized national veterans organization active in this Commonwealth.

Three members of the commission shall constitute a quorum.

The commission shall select from its number a chairman and a secretary.

(c) The State Forest Commission shall consist of four persons, and the Secretary of Forests and Waters, ex-officio, who shall be chairman thereof.

(d) The State Parks Commission shall consist of the Secretary of Forests and Waters, the chairman of the Pennsylvania Historical Commission, and four other citizens.

Four members of the commission shall constitute a quorum.

The State Parks Commission shall annually elect from among its members a chairman and vice-chairman.

(e) Bushy Run Battlefield Commission.—The Bushy Run Battlefield Commission shall consist of the Secretary of Forests and Waters, and the chairman and secretary of the Pennsylvania Historical Commission, ex-officio, and six other members residing in the vicinity of the Bushy Run Battlefield State Park, and having a knowledge of and interest in the history of the locality wherein said park is situated.

The members of the commission shall annually elect a chairman and a secretary.

Five members of the commission shall constitute a quorum.

(f) The Advisory Health Board shall consist of the Secretary of Health, and six members, a majority of whom shall be physicians, graduates of legally constituted medical colleges, and of at least ten years' experience in the practice of their profession, and one of whom shall be a civil engineer. The Secretary of Health shall be chairman of the board.

Three members of the board, together with the Secretary of Health, shall constitute a quorum.

(g) The Industrial Board shall consist of the Secretary of Labor and Industry, and four additional members, one of whom shall be an employer of labor, one a wage earner and one a woman. The Secretary of Labor and Industry shall be the chairman of the board.

Three members of the board shall be a quorum.

The members of the Industrial Board, other than the chairman, shall receive fifteen dollars per day while in the performance of their official duties.

(h) The State Welfare Commission shall consist of the Secretary of Welfare, ex-officio, and eight other members. The Secretary of Welfare shall be chairman of the board. The Secretary of Welfare and four other members of the board shall constitute a quorum.

(i) The General Galusha Pennypacker Monument Commission shall consist of the Secretary of Property and Supplies, the president of the Pennsylvania Academy of Fine Arts of Philadelphia, and three other persons. The Commission shall annually elect a president and secretary.

Three members of the commission shall constitute a quorum. (Amended June 1, 1931, P. L. 350; June 3, 1933, P. L. 1471).

Section 449. State Bridge Commission.—The State Bridge Commission shall consist of the Secretary of Highways, the Auditor General, and three other persons, of whom two shall be experienced in business.

Three members shall constitute a quorum.

The commission shall annually elect a chairman from among its members, a secretary, and a treasurer. The same person may serve as secretary and treasurer, and it shall not be necessary for the secretary or treasurer to be a member of the board. The board may also, in its discretion, select a bank or trust company to serve as treasurer.

The members of the commission, other than the Secretary of Highways and Auditor General, shall receive salaries of five thousand dollars per annum, and the secretary and treasurer shall receive such compensation as the commission may determine, with the approval of the Governor. All salaries and expenses of members and officers of the commission, and of all employes selected by the Secretary of Highways for the work of the commission, shall be paid out of the revenue accruing from the operation by the commission of toll bridges, unless the General Assembly shall at any time expressly appropriate money for the payment of such salaries and expenses, or any part thereof. (Added June 1, 1931, P. L. 350.)

Note: The name of this commission was changed to State Bridge and Tunnel Commission by Act of June 12, 1935. P. L. 735.

ARTICLE V

POWERS AND DUTIES IN GENERAL

Section 501. Coordination of Work.—The several administrative departments, and the several independent administrative and departmental administrative boards and commissions, shall devise a practical and working basis for cooperation and coordination of work, eliminating, duplicating, and overlapping of functions, and shall, so far as practical cooperate with each other in the use of employes, land, buildings, quarters, facilities, and equipment. The head of any administrative department, or any independent administrative or departmental administrative board or commission, may empower or require an employe of another such department, board, or commission, subject to the consent of the head of such department or of such board or commission, to perform any duty which he or it might require of the employes of his or its own department, board, or commission.

Section 502. Cooperative Duties.—Whenever, in this act, power is vested in a department, board, or commission, to inspect, examine, secure data or information, or to procure assistance, from any other department, board, or commission, a duty is hereby imposed upon the department, board, or commission, upon which demand is made, to render such power effective.

Section 503. Departmental Administrative Boards and Commissions.—Except as otherwise provided in this act, departmental administrative bodies, boards, and commissions, within the several administrative departments, shall exercise their powers and perform their

duties independently of the heads or any other officers of the respective administrative departments with which they are connected, but, in all matters involving the expenditure of money, all such departmental administrative boards and commissions shall be subject and responsible to the departments with which they are respectively connected. Such departments shall, in all cases, have the right to make such examinations of the books, records, and accounts of their respective departmental administrative boards and commissions, as may be necessary to enable them to pass upon the necessity and propriety of any expenditure or proposed expenditure.

Section 504. Departmental Reports.—The head of each administrative department and each independent administrative board and commission shall, not later than October first of each even-numbered year, report in writing to the Governor concerning the condition, management, and financial transactions, of the department, board, or commission; such reports shall, except where impracticable, be for the two-year period ending May thirty-first of the year in which they are made. Each departmental administrative board and commission, and each advisory board and commission, shall, not later than September first of each even-numbered year, report in writing to the head of the department of which such board or commission is a part. All such reports shall be attached as exhibits to the report made by the head of the department to the Governor.

Except as otherwise in this act specifically provided, the reports required by this section shall be in lieu of all other reports heretofore required by law to be made by the several administrative departments, boards, and commissions, either to the Governor or to the General Assembly.

Section 505. Departmental Seals.—Each administrative department, each independent administrative board and commission, shall, and any departmental administrative board or commission may, adopt and use an official seal. A copy of any paper or document on file with any such department, board, or commission, authenticated by any such seal, shall be evidence equally and in like manner as the original.

Section 506. Rules and Regulations.—The heads of all administrative departments, the several independent administrative boards and commissions, the several departmental administrative boards and commissions, are hereby empowered to prescribe rules and regulations, not inconsistent with law, for the government of their respective departments, boards, or commissions, the conduct of their employes and clerks, the distribution and performance of their business, and the custody, use, and preservation of the records, books, documents, and property pertaining thereto.

Section 507. Purchases.—It shall be unlawful for any administrative department, other than the Department of Property and Supplies, or for any independent administrative board or commission, or for any departmental administrative body, board or commission, or for any advisory board or commission, to purchase or contract for the purchase of any stationery, paper, printing, binding, ruling, lithographing, engraving, envelopes, or other printing or binding supplies, or any fuel, supplies, furniture, furnishings, or equipment, except:

(a) Any departments, boards, or commissions, which by law are authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by them, or out of the moneys appropriated to them by the General Assembly: Provided, That every such department, board, and commission, shall make its purchases through the Department of Property and Supplies, as purchasing agency, and all such purchases shall conform to the *effective supplies contracts* of the Department of Property and Supplies, unless in any case the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such *effective supplies contracts*.

(b) Any department, board, or commission, having charge of a State institution, which may purchase perishable food-stuffs and fuel for such institution directly, and may purchase any article directly if it can, after competitive bidding, purchase the same, f. o. b. the institution, for a price equal to or less than the Department of Property and Supplies can furnish it f. o. b. the institution, but all articles purchased directly hereunder shall conform to the specification contained in the effective supply contracts of the Department of Property and Supplies, or, if the article be not included in the effective supply contracts, then to the standard specification, if any, adopted by the Department of Property and Supplies for the commodity purchased, unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification.

In all other cases, such departments, boards, or commissions shall make purchases through the Department of Property and Supplies, as purchasing agency, and all purchases made by the Department of Property and Supplies, as purchasing agency hereunder, shall conform to the specifications contained in the effective supply contracts of the department, or, if the article be not included in the effective supply contracts, then to the standard specifications, if any, adopted by the department for the commodity purchased, unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such effective supply contracts or specifications.

(c) Any department, board, or commission, which shall have been authorized in writing by the Department of Property and Supplies to make purchases in the field, not exceeding a specified amount, but records of all such purchases shall be transmitted periodically to the Department of Property and Supplies in such form as it may require. (Amended June 1, 1931, P. L. 350).

Section 508. Erection, Repairs, or Alterations of and Additions to Buildings.—(a) No administrative department, except the Department of Property and Supplies, and no administrative board or commission, shall, except as in this act otherwise specifically provided, erect or construct, or contract for the erection or construction of, any new building, or make, or contract for making, any alterations or additions to an existing building, involving an expenditure of more than ten thousand dollars (\$10,000), and, in any case in which any other department or any board or commission is by this act authorized to erect or construct buildings, or make alterations or additions, such erection or construction shall be under the general supervision of the Department of Property and Supplies.

(b) All repairs to or alterations of existing buildings of the Commonwealth, involving expenditures of more than one thousand dollars (\$1,000), shall be subject to inspection by, and the general supervision of, the Department of Property and Supplies, which shall be notified thereof at least ten days prior to the execution of the contract, or if the work is not to be done under contract, then at least ten days prior to the commencement of the work, and all plans and specifications for repairs to or alterations of buildings, under the control of departmental administrative boards and commissions, shall be subject to approval by the departments with which such boards or commissions are respectively connected.

(c) All plans and specifications for new buildings, and for alterations or additions to existing buildings, shall be subject to the approval of the department, board, or commission using or intending to use the building being erected or constructed, or to which an alteration or addition is being made, and, in the case of buildings used by or for the use of departmental administrative boards or commissions, the plans and specifications shall also be approved by the department with which the board or commission is connected.

(d) Buildings may be erected or constructed, or alterations or additions made, wholly or partially by the labor of employes or inmates or patients of State institutions, if, in the judgment of the agency responsible for the management of such institutions, and of the Department of Property and Supplies, the work can be properly and safely done by such employes, inmates, or patients. In such cases, the Department of Property and Supplies, or such agency of the State Government, or outside supervising engineer or engineering concern, as it may approve, shall have direct supervision of the work, and in all cases the Department of Property and Supplies shall have the right to inspect and generally supervise the work. (Amended June 1, 1931, P. L. 350).

Section 509. Bonds and Insurance.—No administrative department, or independent administrative, departmental administrative, or advisory board or commission, shall contract for any bonds or insurance of any kind or description, except through the Department of Property and Supplies, as purchasing agency, except the Treasury Department, which may contract for insurance covering the securities of which it, or the State Treasurer, is custodian, as provided in the Fiscal Code.

Section 510. Disposition of Unserviceable Personal Property.—Whenever any furnishings, or other personal property of this Commonwealth, shall be no longer of service to the Commonwealth, it shall be the duty of the department, board, or commission, in whose possession such property shall be or come, to put such property into the custody of the Department of Property and Supplies: Provided, however, That in the case of any perishable property which is not in the city of Harrisburg, the department, board, or commission, having possession of the same, may sell it in such manner, and upon such terms, as the head of the department, or the board or commission, may determine.

“Unserviceable property,” as used in this section, shall not include products manufactured, grown, or raised, by any department, board,

or commission, or by the inmates or patients of any State institution, or minerals, oil, gas, or other materials, taken from any property of the Commonwealth. It shall include only articles previously purchased by the Commonwealth, or any agency thereof, and paid for out of funds of or in the control of the Commonwealth.

Section 511. Sale of Surplus Products.—All departments, boards and commissions may sell, for the best price obtainable, but not less than the current market price for similar products, any surplus products of the soil, meats, live stock, timber, or other materials, raised or grown upon or taken from property of the Commonwealth administered by such departments, boards, or commissions, respectively.

As used in this section, "surplus" shall mean products, meats, live stock, timber, or other materials, which cannot conveniently and economically be used in connection with the proper maintenance of the institution, park, or other property, administered by the department, board, or commission involved, but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees, and no sales shall be made under this section by any departmental administrative board or commission without the approval of the department with which such board or commission is connected.

The proceeds of the sale of any products of the soil, meats, live stock, timber, or other materials, sold by any department, board, or commission, under the provisions of this section, shall be paid into the State Treasury, through the Department of Revenue, and credited to the General Fund, unless the expenses of such department, board, or commission, are paid wholly or mainly out of a special fund, in which case, such proceeds shall be credited to the proper special fund. Any questions arising hereunder shall be determined by the Governor, and his decision shall be certified to the Department of Revenue, and the Treasury Department.

Every department, board, or commission, which sells any products of the soil, meats, live stock, timber, or other materials, under the provisions of this section, shall keep an accurate record of the dates, quantities, and prices, of all sales, which records shall, at all times, be subject to audit by the Department of the Auditor General.

Section 512. Legal Advice and Services.—Whenever any department, board, commission, or officer of the State Government, shall require legal advice concerning its conduct or operation, or when any legal difficulty or dispute arises, or litigation is commenced or to be commenced in which any department, board, commission, or officer, is concerned, or whenever any taxes or other accounts of any kind whatever due the Commonwealth remain overdue and unpaid for a period of ninety days, it shall be the duty of such department, board, commission, or officer, to refer the same to the Department of Justice.

It shall be the duty of any department, board, commission, or officer, having requested and received legal advice from the Department of Justice regarding the official duty of such department, board, commission, or officer, to follow the same, and, when any officer shall follow the advice given him by the Department of Justice, he shall not be in any way liable for so doing, upon his official bond or otherwise.

Before the Department of Justice shall render any opinion, interpreting any appropriation act, or act authorizing the expenditure of money, it shall notify the Department of the Auditor General, and the Treasury Department, of the question upon which its opinion has been requested, and afford to these departments an opportunity to present any views which they may have upon such question.

It shall be unlawful for any department, board, commission, or officer, of the Commonwealth, to engage any attorney to represent such department, board, commission, or officer, in any matter or thing relating to the public business of such department, board, commission, or officer, without the approval in writing of the Attorney General.

Section 513. Acceptance of Gifts or Donations.—Every administrative department, every independent administrative board and commission, and, with the approval of the department with which it is connected, every departmental administrative board or commission, may accept gifts or donations of money, securities, or other personal property, which, or the income of which, shall be used in conducting the work of such department, board, or commission, or for the benefit of the inmates or patients of any State institution administered by such department, board, or commission.

Except as otherwise in this act expressly provided, a department, board, or commission, shall not accept any gift of real estate, or of any interest in real estate, without specific authority from the General Assembly so to do.

Section 514. Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate; *Tapping Water Lines of Institutions and Sanatoria.*—(a) Except as otherwise in this act expressly provided, a department, board, or commission, shall not sell or exchange any real estate belonging to the Commonwealth, or grant any easement, right of way, or other interest over or in such real estate, without specific authority from the General Assembly so to do, but a department, board, or commission may, with the approval of the Governor, grant a license to any public service corporation to place upon, in, or over, any land or bridge of or maintained by the Commonwealth, any public service line, if such line will enable any State building or State institution to receive better service, or if such line is necessary for the service of persons living adjacent to the Commonwealth's land upon, in, or over which it is proposed to run the line or, if the running of such line over a bridge will be more economical than the erection of a separate bridge for the line. Every such license shall be revocable upon six months written notice by the Commonwealth, and upon such other proper terms and conditions as the department, board, or commission, with the approval of the Governor, shall prescribe, and unless any such line is primarily for the benefit of a State building or State institution, the license shall provide for the payment to the Commonwealth of compensation for the use of its property in such amount as the department, board, or commission granting it shall, with the approval of the Governor, prescribe.

But nothing herein contained shall authorize the Commonwealth to impose and collect from any municipality or township any compensa-

tion for a license granted to such municipality or township for the running of a public service line over any such bridge.

(b) Any department, board, or commission, having control over lands of the Commonwealth underlaid with veins of coal, may, with the approval of the Governor exchange part of such coal for coal in place, owned by private interests, which may be necessary to insure lateral or surface support for any building, reservoir, or structure erected or to be erected on such lands of the Commonwealth: Provided, That the coal given by the department, board, or commission, to private interests, shall be approximately equivalent in value to the coal received in exchange therefor; every such department, board, or commission is hereby authorized and empowered to execute and deliver and to receive legal instruments and deeds necessary to effectuate any exchange authorized hereunder, which instruments and deeds shall have the prior approval of the Department of Justice, and a copy thereof shall be filed with the Department of Internal Affairs.

(c) Any department, board, or commission, having control over any water supply serving any State institution or sanatorium, may, with the approval of the Governor, permit and authorize the public authorities of any political subdivision, to which no other source of supply is available, under suitable regulations, to tap the lines of any such water supply for the purpose of supplying water to the people of any community living in proximity to such institution or sanatorium, and may impose reasonable charges payable periodically by such political subdivision for the water so furnished. All moneys, received under the provisions of this clause, shall be paid into the State Treasury through the Department of Revenue. (Amended June 1, 1931, P. L. 350; May 22, 1935, P. L. 241; July 12, 1935, P. L. 791.)

Section 515. Automobiles.—All automobiles required for the proper conduct of the business of the several administrative departments, boards, and commissions, shall be purchased and maintained by or under the supervision of the Department of Property and Supplies, except that the Department of Highways may continue to maintain automobiles purchased for it by the Department of Property and Supplies as purchasing agency.

Section 516. Contracts.—No member or officer of any department of the government shall be in any way interested in any contract for furnishing stationery, printing paper, fuel, furniture, materials, or supplies, to the State Government, or for the printing, binding, and distributing of the laws, journals, department reports, or any other printing and binding, or for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees.

Section 517. Administering Oaths.—The head of every administrative department, all deputy heads of administrative departments, every member of an independent administrative or departmental administrative board or commission, the Superintendent of the Pennsylvania State Police, every workmen's compensation referee, and such officers or employes of the several administrative departments, boards, or commissions, as the heads of such departments or such boards or commissions shall designate, shall have the power to administer oaths or

affirmations anywhere in this Commonwealth, with regard to any matter or thing which may properly come before such department, board, commission, superintendent, or referee, or any member of a board or commission, as the case may be.

Section 518. Meetings of Boards and Commissions.—Every *independent administrative board or commission*, departmental administrative board or commission, and every advisory board or commission, shall meet upon the call of the chairman *or president* thereof, at such times and places as the chairman *or president* shall designate, and at such times and places as the board or commission may by rule designate. (Amended June 1, 1931, P. L. 350.)

Section 519. Geographic Names.—Every administrative department, board, or commission of the Commonwealth shall, in preparing or publishing maps, reports, or other documents showing or referring to any mountain, river, creek, or other topographic feature within the Commonwealth, designate such mountain, river, creek, or other topographic feature, by, and only by, such name as shall have been adopted therefor by the Geographic Board, except the Pennsylvania Historical Commission in historical documents and maps.

Section 520. Subpoenas.—Every administrative department, every independent administrative board and commission, every departmental administrative board and commission, every advisory board and commission, and the several workmen's compensation referees, shall have the power to issue subpoenas, requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before such department, board, commission, or officer, and to examine such witnesses, books, and papers.

Any witness, who refuses to obey a subpoena issued hereunder, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt after summons to appear, may be punished for contempt of court, and, for this purpose, an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed, for which purpose, such court is hereby given jurisdiction.

Section 521. Publications.—No department, board, or commission shall publish or distribute any publication, map, or document to the public, except through the Department of Property and Supplies, unless the Department of Property and Supplies shall have consented to the direct publication or distribution of such publication, map or document, by such other department, or by such board or commission.

Section 522. Wage Specifications in Contracts for Public Works.—*The specifications upon which contracts are entered into by the Commonwealth for the construction, alteration, or repair of any public work shall, as far as possible, contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work, and such laborers or mechanics shall be paid not less than such minimum wage or wages.*

Every contract entered into upon such specifications shall stipulate a penalty of an amount equal to twice the difference between the mini-

imum wage contained in said specifications and the wage actually paid to each such laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications. Every officer or person designated as inspector of the work to be performed under any such contract, or to aid in the enforcing of the fulfillment thereof, shall, upon observation or investigation, report to the department, board, or commission which made the contract award, all violations of minimum wage stipulations, together with the name of each laborer or mechanic who has been paid less than that prescribed by the specifications, and the day or days of such violation. All such penalties shall be withheld and deducted, for the use of the Commonwealth, from any moneys due the contractor, by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor, whether the violation of the minimum wage stipulation of the specifications is by the contractor or by any of his subcontractors. (Added June 1, 1931, P. L. 350.)

Section 523. Reciprocal Limitations upon the Purchase of Supplies and Materials.—It shall be unlawful for any administrative department, board, or commission to specify for or permit to be used in or on any public building or other work erected, constructed, or repaired at the expense of the Commonwealth, or to purchase, any supplies, equipment, or materials manufactured in any state which prohibits the specification for or use in or on its public buildings or other works or the purchase of supplies, equipment, or materials not manufactured in such state. (Added June 1, 1931, P. L. 350.)

ARTICLE VI

BUDGETARY AND FINANCIAL POWERS AND DUTIES OF ADMINISTRATIVE OFFICERS, DEPARTMENTS, BOARDS, AND COMMISSIONS

Section 601. Preparation of Budget.—The Budget Secretary shall, in each even-numbered year, obtain and prepare information necessary for the preparation of a State budget for the biennium beginning June first of the following year. He shall, not later than the fifteenth day of August of such even-numbered year, distribute to the Governor, to the Lieutenant Governor, to each administrative department, to each independent administrative board and commission, to the chief clerk of the Senate, to the chief clerk of the House of Representatives, to the prothonotaries of the various courts of the Commonwealth, and to all institutions or other agencies which desire State appropriations to be made to them, the proper blanks necessary to the preparation of the budget estimates, with a request that such blanks be returned with the information desired, not later than the first day of November of the same year. Such blanks shall be in such form as shall be prescribed by the Budget Secretary, to procure any or all information pertaining to the revenues and expenditures for the preceding fiscal years, and for the current fiscal year, the appropriations made by the previous General Assembly, the expenditures therefrom, encumbrances thereon, the amount unencumbered and unexpended, an itemized estimate of the revenues and expenditures of the current fiscal year, and for the succeeding biennium, and an estimate of the revenues and amounts needed for the respective departments, boards, and commis-

sions, for expenses of the General Assembly, for the Judicial Department, and for any and all institutions, or other agencies to which appropriations are likely to be made by the General Assembly for the two fiscal years next succeeding. Such blanks shall also request the person returning them to accompany them with a statement in writing, giving the facts, and an explanation of and reasons for the estimates of receipts and expenditures for the succeeding biennium contained upon the blanks returned. It shall be the duty of each administrative department, and each independent administrative board and commission, to comply, not later than November first, with any and all requests made by the Budget Secretary in connection with the budget.

The Budget Secretary may, under the direction of the Governor, make further inquiries and investigations as to the financial needs, expenditures, estimates, or revenues, of any department, board, commission, institution, or other agency. The Governor may, after giving to each department, board, commission, institution, or other agency, an opportunity to be heard, approve, disapprove, or alter the estimates. The Budget Secretary shall, on or before the first day of January next succeeding, submit to the Governor, in writing, the above information, and any additional information requested by the Governor, as a basis for the Governor's estimates for appropriations for the next succeeding biennium.

Section 602. Submission of Budget to General Assembly.—As soon as possible, and not later than four weeks after the organization of the General Assembly, the Governor shall submit a State budget, embracing therein the amounts recommended by him to be appropriated to the General Assembly, the Judicial Department, the Governor, and the several administrative departments, boards, and commissions of the State Government, and to institutions within the State, and for all other public purposes, the estimated revenues or receipts from any and all sources, and an estimated amount to be raised by taxation or otherwise. Together with such budget, the Governor shall transmit the estimates of receipts and expenditures, as received by the Budget Secretary from the officers in the Executive, Legislative, and Judicial Departments.

Section 603. List of Employes to Be Furnished to Certain State Officers.—All administrative departments, boards, and commissions shall, on the fifteenth day of June of each year, transmit to the Auditor General, the State Treasurer, and the Budget Secretary a complete list, as of June first preceding, of the names of all persons, except day-laborers, entitled to receive compensation from the Commonwealth for services rendered in or to the department, board, or commission, as the case may be. Such list shall show the position occupied by each such person, the date of birth and voting residence of such person, the salary at which or other basis upon which such person is entitled to be paid, the date when such person entered the service of the Commonwealth, whether such person has been continuously employed by the Commonwealth since that date, and all periods of service and positions held as an employe of the Commonwealth, *or such part of such information as the Governor may prescribe.*

Each month thereafter, the heads of the several administrative departments, and the several independent administrative boards and commissions, shall certify to the Auditor General, the State Treasurer, and the Budget Secretary any changes in the annual list of employes last transmitted to them which shall have occurred during the preceding month.

The information received by the Auditor General, the State Treasurer, and the Budget Secretary, under this section, shall be public information. (Amended June 1, 1931, P. L. 350.)

Section 604. Estimates of Current Expenditures by Departments, Boards, and Commissions.—Each administrative department, board, and commission, except the departments of which the Auditor General and the State Treasurer are respectively the heads, shall, from time to time, as requested by the Governor, prepare and submit to the Governor, for approval or disapproval, an estimate of the amount of money required for each activity or function to be carried on by such department, board, or commission, during the ensuing month, quarter, or such other period as the Governor shall prescribe. If such estimate does not meet with the approval of the Governor, it shall be revised in accordance with the Governor's desires and resubmitted for approval.

After the approval of any such estimate, it shall be unlawful for the department, board, or commission to expend any appropriation or part thereof, except in accordance with such estimate, unless the same be revised with the approval of the Governor.

If any department, board, or commission, to which this section applies, shall fail or refuse to submit to the Governor estimates of expenditures, in accordance with the Governor's request, the Governor may notify the Auditor General, in writing, of such failure or refusal, and, after receipt of such notice, the Auditor General shall not draw any warrant in favor of such department, board, or commission, until the Governor shall have notified the Auditor General, in writing, that the delinquent department, board, or commission has furnished him with, and he has approved, the estimate as required by this section.

Section 605. Estimates of Current Expenditures by Departments of Elective Officers.—The Auditor General and State Treasurer shall, from time to time, as requested by the Governor, prepare and submit to the Governor estimates of the amounts of money required for each activity or function to be carried on by their respective departments during the ensuing month, quarter, or such other period as the Governor shall prescribe.

Section 606. Departmental Administrative Bodies, Boards, and Commissions.—It shall be the duty of each departmental administrative body, board, and commission, promptly to furnish to the head of the department of which it is a part such information, as may be requested by the head of the department, for the departmental budget estimates, or the periodical estimates of the current expenditures of the department.

Section 607. Fiscal Year.—All books and accounts kept by the Auditor General, the State Treasurer, and every department, board, and commission, shall be kept as of the fiscal year, which shall be the

period beginning on the first day of June, of each calendar year, and ending on the thirty-first day of May, of the calendar year next succeeding.

ARTICLE VII

POWERS AND DUTIES OF THE GOVERNOR AND OTHER CONSTITUTIONAL OFFICERS; OF THE EXECUTIVE BOARD; AND OF THE PENNSYLVANIA STATE POLICE

Section 701. The Governor.—The Governor shall have the power, and it shall be his duty:

(a) To take care that the laws of the Commonwealth shall be faithfully executed;

(b) To act as Commander-in-chief of the Army and Navy of the Commonwealth, and of the Militia, except when they shall be called into active service by the United States Government;

(c) To cause to be published, through the Department of Property and Supplies, from time to time, for the information of the public, bulletins of the work of the State Government;

(d) To prescribe and require the installation of a uniform system or systems of bookkeeping, accounting, and reporting, for the several administrative departments, boards, and commissions, except for the Department of the Auditor General and the Treasury Department, but, before prescribing and requiring such installation, the Governor shall consult with the Department of the Auditor General;

(e) To prescribe forms for accounts and financial records, reports, and statements, for the several administrative departments, boards, and commissions, except the Department of the Auditor General and the Treasury Department, but, before prescribing such forms, the Governor shall consult with the Department of the Auditor General;

(f) To approve or disapprove all investments by departments, boards, or commissions of funds administered by such departments, boards or commissions;

(g) To submit to the General Assembly a State budget;

(h) After each biennial appropriation to the Department of Property and Supplies, (1) for the purchase of stationery, paper, printing, binding, ruling, lithographing, color printing, engraving, paper, envelopes, and other printing and binding supplies, (2) for fuel, supplies, furniture, furnishings, repairs, alterations, and improvements, (3) for automobiles, and (4) for rentals of branch offices, after making proper deductions for the needs of the legislative and judicial departments, to allocate and, from time to time, to re-allocate to the several administrative departments, boards, and commissions, such portions of such appropriations as will fairly represent the needs of the departments, boards, and commissions, for the biennium, taking into consideration the right of any such department, board, or commission, to pay its necessary expenses or purchase furniture, materials, or supplies out of fees or other moneys received by or moneys specifically appropriated to it.

Every administrative department, board, or commission shall be limited in its right to make requisition upon the Department of Property and Supplies to the amount allocated to it, unless the Governor

shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount.

(i) To do all other acts, make all appointments, fill all vacancies, exercise all the powers vested in him, and perform all the duties imposed upon him, as provided and required by the Constitution and laws of this Commonwealth.

Section 702. Lieutenant Governor.—The Lieutenant Governor shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution and laws of this Commonwealth.

Section 703. Secretary of the Commonwealth.—The Secretary of the Commonwealth shall :

(a) Keep a record of all official acts and proceedings of the Governor, and, when required, lay the same, with all papers, minutes, and vouchers relating thereto, before either branch of the General Assembly ;

(b) Record and file in his office the recommendations of the Board of Pardons, together with the reasons therefor ;

(c) Keep the seal of the Commonwealth, and affix it to all public instruments to which the attestation of the Governor's signature now is or may hereafter be required by law ;

(d) Have power and authority to administer to all officers of the State Government such oaths or affirmations as, by the Constitution or laws of the Commonwealth, such officers are required to make, in any and all matters pertaining to the administrative work of the Commonwealth ;

(e) To deliver the plates from which the Pennsylvania State Reports and Pennsylvania Superior Court Reports are printed, to the Department of Property and Supplies for safe-keeping ;

(f) Procure and keep deposited in his department, as required by law, an official State flag ;

(g) Perform such other duties as may now or hereafter be imposed upon him by law.

Section 704. Attorney General.—The Attorney General shall be the legal advisor of the Governor, in the performance of his official duties, and the chief law officer of the Commonwealth.

He shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution and laws of this Commonwealth.

Section 705. Secretary of Internal Affairs.—The Secretary of Internal Affairs shall exercise such powers and perform such duties as may now or hereafter be vested in and imposed upon him by the Constitution and laws of this Commonwealth.

Section 706. Auditor General.—The Auditor General shall exercise such powers and perform such duties as may now or hereafter be vested in and imposed upon him by the Constitution and laws of this Commonwealth.

Section 707. State Treasurer.—The State Treasurer shall exercise

such powers and perform such duties as may now or hereafter be vested in and imposed upon him by the Constitution and laws of this Commonwealth.

Section 708. Superintendent of Public Instruction.—The Superintendent of Public Instruction shall:

(a) Exercise all the powers and perform all the duties of the Superintendent of Common Schools, in the manner prescribed by law;

(b) Perform such other duties as may now or hereafter be imposed upon him by law.

Section 709. Executive Board.—The Executive Board shall have the power:

(a) To standardize the qualifications for employment, and all titles, salaries, and wages, of persons employed by the administrative departments, boards, and commissions, except the Department of the Auditor General and the Treasury Department. In establishing such standards the board may:

(1) Take into consideration the location of the work and the conditions under which the service is rendered,

(2) Establish different standards for different kinds, grades and classes of similar work or service;

(b) To approve or disapprove the establishment of bureaus and divisions by the administrative departments, other than the Department of the Auditor General and the Treasury Department, and by the independent administrative boards and commissions, and to investigate duplication of work of the several administrative departments, boards, and commissions, and the efficiency of the organization and administration thereof, and the better coordination of such departments, boards, and commissions;

(c) To approve or disapprove, as provided by this act, the payment of extra compensation to employes of administrative departments, boards, or commissions, who are employed at fixed compensation;

(d) To determine, from time to time, the hours when the administrative offices of the State Government shall open and close;

(e) To approve or disapprove extensions of leaves of absence, with pay, for employes of administrative departments, or of independent administrative boards or commissions;

(f) To make rules and regulations defining the expenses for which officers and employes of the executive branch of the State Government may be reimbursed;

(g) To determine by what members of independent administrative boards and commissions fidelity bonds shall be given, to approve or disapprove recommendations of department heads, or of independent administrative boards or commissions, for the bonding of officers or employes of their departments, or members or officers or employes of departmental administrative boards or commissions, or officers or employes of independent administrative boards or commissions, to fix the amounts of the bonds of all such members, officers, or employes required to give bond, and to require any bond or bonds to be executed

by a surety or sureties, even though the Commonwealth may have established its own indemnity fund, as elsewhere in this act provided;

(h) To approve or disapprove the establishment of branch offices outside of the Capital city by or for administrative departments, boards, or commissions;

(i) From time to time to determine within what limits the Department of Property and Supplies shall procure liability insurance covering claims for damages against the Commonwealth, and State officers and employes, arising out of the operation of State automobiles by such officers and employes;

(j) From time to time to determine the number and type of automobiles to be purchased by the Department of Property and Supplies, acting either on its own behalf or as purchasing agency for any other department, except the Department of the Auditor General and the Treasury Department, or for any board or commission, and to make rules and regulations for the use of State automobiles by State officers and employes, except the Department of the Auditor General and the Treasury Department.

Section 710. Pennsylvania State Police.—The Pennsylvania State Police shall have the power, and its duty shall be:

(a) Subject to any inconsistent provisions in this act contained, to continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of State Police;

(b) To assist the Governor in the administration and enforcement of the laws of the Commonwealth, in such manner, at such times, and in such places, as the Governor may from time to time request;

(c) With the approval of the Governor, to assist any administrative department, board or commission, of the State Government, to enforce the laws applicable or appertaining to such department, board, or commission, or any organization thereof;

(d) Whenever possible, to cooperate with counties and municipalities in the detection of crime, the apprehension of criminals, and the preservation of law and order throughout the State;

(e) To aid in the enforcement of all laws relating to game, fish, forests, and waters;

(f) To collect and classify, and keep at all times available, complete information useful for the detection of crime, and the identification and apprehension of criminals. Such information shall be available for all police officers within the Commonwealth, under such regulations as the Superintendent of State Police may prescribe.

Section 711. Superintendent of Pennsylvania State Police.—The Superintendent of Pennsylvania State Police shall be the head and executive officer of the Pennsylvania State Police. He shall provide, for the members of the police force, suitable uniforms, arms, equipment, and, where it is deemed necessary, horses or motor vehicles, and make such rules and regulations, subject to the approval of the Governor, as are deemed necessary for the control and regulation of the police force. It shall also be the duty of the superintendent to establish local headquarters in various places, so as best to distribute the force through the various sections of the Commonwealth where they

will be most efficient in carrying out the purposes of this act to preserve the peace and prevent and detect crime.

Section 712. The Pennsylvania State Police Force.—The various members of the Pennsylvania State Police are hereby authorized and empowered:

(a) To make arrests, without warrant, for all violations of the law which they may witness, and to serve and execute warrants issued by the proper local authorities. They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class, and upon constables of the Commonwealth;

(b) To act as game protectors, and as forest, fish, or fire wardens, and for the better performance of such duties,

(1) Seize all guns, boats, decoys, traps, dogs, game, fish, shooting paraphernalia, or hunting or fishing appliances or devices, used, taken, or had in possession, contrary to the laws of this State. Any article so seized shall be held subject to such disposition as the Commissioner of Fisheries or the Secretary of the Board of Game Commissioners or the Secretary of Forests and Waters may respectively determine.

(2) Seize and take possession of all birds, animals, or fish, which have been taken, caught or killed, or had in possession, or under control, or which have been shipped, or are about to be shipped, contrary to any law of this State.

(3) Search without warrant any boat, conveyance, vehicle, or receptacle, when there is good reason to believe that any law has been violated, the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners, or the Board of Game Commissioners, or in the Department of Forests and Waters.

(4) Serve subpoenas issued for any examination, investigation, or trial, had pursuant to any law as aforesaid.

(5) Purchase game or fish for the purpose of securing evidence.

ARTICLE VIII

POWERS AND DUTIES OF THE DEPARTMENT OF STATE AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 801. Powers and Duties in General.—The Department of State shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties heretofore by law vested in and imposed upon the Department of the Secretary of the Commonwealth, and the several bureaus thereof, the Department of State and Finance, the Department of State, and the Secretary of the Commonwealth.

Section 802. General Administration.—The Department of State shall have the power and its duty shall be:

(a) To permit any committee of either branch of the General Assembly to inspect and examine the books, papers, records, and accounts, filed in the department, and to furnish such copies or abstracts therefrom, as may from time to time be required;

(b) To furnish to any person, upon request and the payment of

such charges as may be required and fixed by law, certificates of matters of public record in the department, or certified copies of public papers or documents on file therein.

Section 803. Elections.—The Department of State shall have the power, and its duty shall be, to care for, compile, publish, and certify, returns of elections, in all cases in which such duties shall heretofore have been imposed by law upon the Department of the Secretary of the Commonwealth, the Department of State and Finance, or the Department of State.

Section 804. Legislation.—The Department of State shall have the power, and its duty shall be:

(a) To record all laws, resolutions, acts, and proceedings, of the General Assembly, and perform all other duties with reference thereto, as required by law;

(b) To punctuate the laws passed by the General Assembly, and read the proof of and prepare an index for the same;

(c) As soon as possible after the signing of any bill by the Governor, whereby it becomes a law, to transmit a correct copy thereof to the Department of Property and Supplies, so as to enable said department to print advance sheets of the same.

Section 805. Corporations.—The Department of State shall have the power, and its duty shall be, to examine and file all applications for charters of corporations, for the amendment of such charters, for the merger and consolidation of such corporations, for the change of their corporate names, for the reorganization after judicial sale of their franchises and property, for the increase of their capitalization or indebtedness, or the decrease of their capitalization, for the change of the par value of the shares of their stock, for the change of the location of their principal office, and for any other proceeding by or with reference to such corporations, as may be permitted or required by law; to transmit to the Governor such papers in connection therewith as may be required; and to perform all such other duties, acts, and things, in connection therewith, as are now or may hereafter be prescribed by law: Provided, however, That the department shall not be required to file any papers or documents, except such as are by law required to be filed, nor any papers or documents which do not conform to law.

Section 806. Registration.—The Department of State shall have the power, and its duty shall be, to register foreign corporations desiring to transact business in this Commonwealth, and act as the attorney-in-fact and authorized agent of such corporations for the service of process thereon; and to register the names, titles, or designations of associations, societies, and corporations of the first class, the assumed or fictitious names under which individuals carry on or conduct business, upon application duly made, trade marks, trade-names, labels, bottle descriptions, union labels, badges, emblems, and applications for license to manufacture or distill and sell ethyl alcohol, in accordance with the several acts of Assembly providing for such registrations, and to register all other matters or things for the registration of which in the office of the Secretary of the Commonwealth provision may now or hereafter be made by law.

Section 807. Warrants.—The Department of State shall have the power, and its duty shall be, to keep a record of all death warrants, respites, pardons, remittances of fines, forfeitures, and commutations of sentences; and to pass upon and approve all proceedings for extradition of fugitives from justice before laying the same before the Governor; and to make report, quarterly, to the Department of Revenue and to the Department of the Auditor General, of all remissions of fines granted by the Governor.

Section 808. State Employees' Retirement Board.—Subject to any inconsistent provisions in this act contained, the State Employees' Retirement Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said retirement board under the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (Pauphlet Laws, eight hundred and fifty-eight), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," its amendments and supplements.

Section 809. Commissions.—The Department of State shall have the power, and its duty shall be:

(a) To prepare and issue, with the approval of the Governor, commissions to all officials elected by popular vote, who by law are entitled to receive them, and to prepare and issue, with the approval of the Governor, commissions to aldermen and justices of the peace elect based upon the certificate of the prothonotary showing election and acceptance of such offices;

(b) To issue commissions to such officials as are entitled thereto, appointed by the Governor;

(c) To file bonds of county officers and notaries.

ARTICLE IX

POWERS AND DUTIES OF THE DEPARTMENT OF JUSTICE AND ITS DEPARTMENTAL ADMINISTRATIVE BOARDS

Section 901. Powers and Duties in General.—The Department of Justice shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the Attorney General, the Attorney General's Department, and the Department of Justice.

Section 902. Legal Advice.—The Department of Justice shall have the power, and its duty shall be:

(a) To furnish legal advice to the Governor, and to all administrative departments, boards, commissions, and officers of the State Government, concerning any matter or thing arising in connection with

the exercise of the official powers or the performance of the official duties of the Governor, or such administrative departments, boards, commissions, or officers;

(b) To supervise, direct and control all of the legal business of every administrative department, board, and commission of the State Government.

Section 903. *Litigation.*—The Department of Justice shall have the power, and its duty shall be:

(a) To collect, by suit or otherwise, all debts, taxes, and accounts, due the Commonwealth, which shall be placed with the department for collection by any department, board, or commission. The department shall keep a proper docket or dockets, duly indexed, in which it shall make and preserve memoranda of all such claims, showing whether they are in litigation and their nature and condition;

(b) To represent the Commonwealth, or any department, board, commission, or officer thereof, in any litigation to which the Commonwealth or such department, board, commission, or officer, may be a party, or in which the Commonwealth or such department, board, commission, or officer, is permitted or required by law to intervene or interplead.

Section 904. *Investigation and Law Enforcement.*—The Department of Justice shall have the power, and its duty shall be, with the approval of the Governor:

(a) To investigate any violations, or alleged violations, of the laws of the Commonwealth which may come to its notice;

(b) To take such steps, and adopt such means, as may be reasonably necessary to enforce the laws of the Commonwealth.

Section 905. *Codification of the Laws.*—The Department of Justice shall have the power, and its duty shall be to prepare, for submission to the General Assembly, from time to time, such revisions and codifications of the laws of this Commonwealth, or any part thereof, as may be deemed advisable.

Section 906. *Deputy Attorneys General.*—In addition to such deputy attorneys general as may be appointed to assist in the conduct of the regular work of the department, the Attorney General, with the approval of the Governor, shall have power:

(a) To appoint and fix the compensation of such special deputy attorneys general, as may be required, to represent and advise the Workmen's Compensation Board, and any other departments, boards, and commissions, which may require the services of counsel to such an extent as to render it reasonably necessary to assign deputy attorneys general exclusively to their work: Provided, That the office of counsel to the Public Service Commission of the Commonwealth of Pennsylvania shall be retained, such counsel to be appointed by the Attorney General. The Attorney General may also, from time to time, with the approval of the Governor, appoint such assistant counsel to the Public Service Commission as may be required for the proper conduct of its work. The compensation of the counsel and assistant counsel of the Public Service Commission shall be fixed by the commission with the approval of the Governor.

(b) From time to time to appoint and fix the compensation of special deputy attorneys general, and special attorneys, to represent the Commonwealth, or any department, board, or commission thereof, in special work or in particular cases.

(c) To appoint and fix the compensation of deputy attorneys general, to represent the Commonwealth, and the several departments, boards, and commissions thereof, in all legal matters arising in any city or county, other than the State capital, except as otherwise provided in this act: Provided, That the same deputy attorney general may be assigned to two or more cities or counties in the discretion of the Attorney General.

Section 907. Special Attorneys in Criminal Cases.—When the president judge, in the district having jurisdiction of any criminal proceedings, before any court of oyer and terminer, general jail delivery, or quarter sessions in this Commonwealth, shall request the Attorney General to do so, in writing, setting forth that, in his judgment, the case is a proper one for the Commonwealth's intervention, the Attorney General is hereby authorized and empowered to retain and employ a special attorney or attorneys, as he may deem necessary, properly to represent the Commonwealth in such proceedings, and to investigate charges, and prosecute the alleged offenders against the law. Any attorney, so retained and employed, shall supersede the district attorney of the county in which the case or cases may arise, and shall investigate, prepare, and bring to trial the case or cases to which he may be assigned. He shall take the oath of office required by law to be taken by district attorneys, and shall be clothed with all the powers and subject to all the liabilities imposed upon them by law. The compensation for services rendered, and necessary expenses incurred by such attorney or attorneys, shall be fixed by the Attorney General.

Section 908. Access to Books and Papers.—The Attorney General shall have the right of access at all times to the books and papers of any administrative department, board, or commission of the State Government.

Section 909. Board of Pardons.—The Board of Pardons shall have the power to hear applications for the remission of fines and forfeitures, and the granting of reprieves, commutations of sentence, and pardons, except in cases of impeachment, and to make recommendations in writing to the Governor thereon, in the manner provided in and under and subject to Article IV, Section 9, of the Constitution of this Commonwealth.

Section 910. Board of Commissioners on Uniform State Laws.—Subject to any inconsistent provisions in this act contained, the Board of Commissioners on Uniform State Laws shall have the power, and its duty shall be:

(a) To examine such subjects as it may deem necessary, and to ascertain the best means to effect an assimilation and uniformity of State legislation throughout the United States relating to the subject so examined;

(b) To meet with the National Conference of Commissioners on

Uniform State Laws, for the promotion of uniformity of legislation in the United States, at its annual or other sessions, and join with it in such measures as may be deemed most expedient to advance the object of its appointment.

ARTICLE X

POWERS AND DUTIES OF THE DEPARTMENT OF THE AUDITOR GENERAL

Section 1001. Power and Duties Retained.—Subject to any inconsistent provisions in this act contained, the Department of the Auditor General shall exercise its powers and perform its duties as provided in the Fiscal Code and other applicable laws.

ARTICLE XI

POWERS AND DUTIES OF THE TREASURY DEPARTMENT

Section 1101. Powers and Duties Retained.—Subject to any inconsistent provisions in this act contained, the Treasury Department shall exercise its powers and perform its duties as provided in the Fiscal Code and other applicable laws.

Section 1102. Board of Finance and Revenue.—Subject to any inconsistent provisions in this act contained, the Board of Finance and Revenue shall exercise its powers and perform its duties as provided in the Fiscal Code and other applicable laws.

ARTICLE XII

POWERS AND DUTIES OF THE DEPARTMENT OF INTERNAL AFFAIRS AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD AND COMMISSION

Section 1201. Powers and Duties Retained.—Subject to any inconsistent provisions in this act contained, the Department of Internal Affairs shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, and the several former bureaus, and bureau chiefs thereof, and the Secretary of Internal Affairs.

Section 1202. Topographic and Geologic Survey.—The Department of Internal Affairs shall have the power, and its duty shall be:

(a) To undertake, conduct, and maintain the organization of a thorough and extended survey of the State, for the purpose of elucidating the geology and topography of the State. Such survey shall disclose such chemical analysis and location of ores, coals, oils, clays, soils, fertilizing and of other useful minerals, and of waters, as shall be necessary to afford the agricultural, mining, metallurgical, and other interests of the State, and the public, a clear insight into the character of its resources. It shall also disclose the location and character of such rock formations, as may be useful in the construction of highways, or for any other purpose.

(b) To collect such specimens as may be necessary to form a complete cabinet collection of specimens of the geological and mineral resources of the State, and deposit the same in the State Museum.

(c) To put the results of the survey, with the results of previous surveys, into form convenient for reference.

(d) To collect copies of the surveys of this and other States and countries, and digest the information therein contained, to the end that the survey hereby contemplated may be made as thorough, practical, and convenient as possible.

(e) To enter into and upon all lands and localities in this State, which it may be necessary to examine, for the purposes of survey, but, in such entry, no damage to property shall be done.

(f) To avail itself as fully as possible of the information maps and surveys, possessed by citizens and corporations of this State, relative to the geology and topography of the State.

(g) To transmit all publications of the survey, or any part thereof, to the Department of Property and Supplies, to be copyrighted by the Secretary of Property and Supplies in the name of the Commonwealth.

(h) To arrange for the cooperation of the United States Geological Survey, or of such other national organization as may be authorized to engage in such work

Section 1203. Land Office.—The Department of Internal Affairs shall have the power, and its duty shall be:

(a) To act as the Land Office of the Commonwealth.

(b) To maintain and preserve the records of the first titles acquired by the proprietaries, and the Commonwealth, to all the lands within its boundaries, the records of all lands and conveyances from the proprietaries and the Commonwealth to the purchasers of the land, the papers relating to the surveys of the State and county lines, and the reports of commissioners relating to the boundary lines of the State, maps and other papers pertaining to the colonial history of Pennsylvania, the minutes of the Canal Commissioners, contracts for section profile maps and other records of and relating to the public works, and all other relevant records relating to titles to real estate now or heretofore owned or hereafter to be acquired by the Commonwealth.

(c) So to arrange the evidences of title in its custody, by filing, recording, and indexing, as to facilitate searches, examinations, and inspections.

(d) To furnish certified copies of any such records to the heads of departments, upon request, for use in the furtherance of the business of the Commonwealth.

(e) To furnish copies of all records, documents, entries, and papers, in its custody, to such persons as shall apply for the same and pay such fees as may now or hereafter be prescribed by law.

Section 1204. Municipalities.—The Department of Internal Affairs shall have the power, and its duty shall be:

(a) To gather, classify, index, make available, and disseminate, data, statistical information and advice, that may be helpful in improving the methods of administration and municipal development in the several municipalities of the Commonwealth.

(b) To maintain, for the benefit of the several municipalities of the Commonwealth, a publicity service.

(c) To install or assist in the installation and establishment of uniform systems of accounts in the various municipalities of the State.

(d) To promote a comprehensive plan, or series of plans, for the proper future requirements of cities, boroughs, or townships of the Commonwealth, either separately or jointly, in respect to a system of traffic thoroughfares and highways transportation of every sort. suitably coordinated sites for public buildings, parks, parkways, playgrounds, and other uses, the preservation of natural and historic features, and any and all public improvements tending to the advantage of municipalities or townships, and to either make or secure or assist in making or securing the necessary surveys, plans, and information.

Section 1205. Statistics and Information.—The Department of Internal Affairs shall have the power, and its duty shall be:

(a) To collect, compile, and prepare for publication, statistics and uniform data and information relating and pertaining to labor, coal mining, oil and gas production, manufacturing industries, commercial operations, public service companies, and other business interests of the State.

(b) From time to time, to transmit to the Department of Property and Supplies, for publication, such reports of the statistics and information collected and compiled as hereinbefore provided, as shall be necessary to render such information available for the use and benefit of the public.

Section 1206. Standards.—The Department of Internal Affairs shall have the power, and its duty shall be:

(a) To regulate and maintain uniform standards of legal weights and measures in this Commonwealth, to conform with the original standards of weights and measures adopted by the Congress of the United States, and verified by the National Bureau of Standards.

(b) To assist in securing the enforcement of the laws relating to sealers of weights and measures, which are now in force or may hereafter be enacted.

(c) To have custody of the State's standards of weights and measures.

(d) To compare, test, and regulate all weights and measures of all city and borough sealers, now in office or hereafter who may be appointed, with the State standards, when presented at the office of the Department for that purpose, and to certify to their correctness by affixing the Department's official stamp thereto, with the name of the examiner and the date of examination clearly marked thereon.

(e) To file annual and other reports received from the local sealers of weights and measures.

Section 1207. Board of Property.—The Board of Property shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said board.

It shall hear and determine, in all cases of controversy on caveats, in all matters of difficulty or irregularity touching escheats, warrants on escheats, warrants to agree, rights of preemption, promises, imperfect titles, or otherwise, which heretofore have or hereafter may arise in transacting the business of the Land Office in the Department of Internal Affairs: Provided, however, That no determination of the Board of Property shall be deemed, taken and construed to prevent either of the parties from bringing their action at the common law, either for the recovery of possession or determining damages for waste or trespass.

Section 1208. State Aeronautics Commission.—The State Aeronautics Commission shall exercise the powers and perform the duties vested in and imposed upon it by the Aeronautics Act and other applicable laws, and, in connection with the designation and establishment of civil airways within, over, and above the lands or waters of this Commonwealth, it shall have the power, to the extent to which the General Assembly shall have appropriated funds to it for the purpose:

(a) Either alone or in cooperation with counties, cities, boroughs, or townships, to establish, operate and maintain, along such airways, all necessary navigation facilities, including intermediate landing fields;

(b) To accept, in the name of the Commonwealth, donations of intermediate landing fields, or grounds suitable for intermediate landing field purposes, or necessary for safe-guarding flying, or buildings to be used in connection with intermediate landing fields;

(c) To make recommendations to the Department of Property and Supplies for the acquisition, in the name of the Commonwealth, by lease, purchase, or condemnation, of lands, with or without buildings, suitable for the establishment thereon of intermediate landing fields, such lands to be acquired by the Commonwealth, acting alone or in cooperation with counties, cities, boroughs, or townships having authority to acquire and maintain such fields;

(d) To make additions and improvements in or to intermediate landing fields and facilities under its control, and, either alone or in cooperation with others, to provide personnel, heat, light, water, fuel, telephone service, drainage, runways, fueling facilities, and lighting facilities, and to remove or otherwise eliminate such obstructions as shall menace air travel;

(e) Either alone or in cooperation with others, to install, equip, maintain, and operate, intermediate landing field beacons, landing lights, markers, and other air navigation facilities, along civil airways established and set apart by it.

(f) *With the approval of the Governor, to execute leases or licenses, with or without consideration, granting to the government of the United States, or any agency thereof, or to any county or municipality within this Commonwealth, the right to erect, operate, and maintain, upon intermediate landing fields belonging to the Commonwealth, boundary lights and other equipment and air navigation facilities, but all such leases and licenses shall be revocable upon six months' notice, and shall require the lessee or licensee, at its own expense, to maintain*

any structures erected by it under its lease or license. (Par. (f) added June 1, 1931, P. L. 350. See note to Sec. 407, above.)

Section 1209. Local Government, Budget and Financial Reports; Compilation of Statistics.—The Department of Internal Affairs shall have power, and its duty shall be:

(a) To prepare, in cooperation with duly authorized committees of local government officials, and furnish annually, at the expense of the Commonwealth, to the corporate authorities of each county, (except counties of the first class), city of the third class, borough, incorporated town, township, school district of the second, third and fourth class, and poor district, blank forms suitable for the making of budgets by the proper authorities of said local governments and for the filing of a copy of the budget after adoption with said department;

(b) To furnish to the corporate authorities of each county (except counties of the first class), city of the third class, borough, incorporated town, township, and poor district, suitable blank forms for the making of annual reports of the financial condition of their respective local governments to the department, which forms for financial report purposes shall be placed by said corporate authorities into the hands of the director, controller or auditors, who by law are required to make such financial reports to the department. Such annual financial reports shall be prepared in cooperation with aforesaid duly authorized committees of local government officials, and shall contain (1) a statement of the receipts of the unit of local government from all sources and of all accounts and revenue which may be due and uncollected at the close of the fiscal year; (2) a statement of the disbursements for all the governmental activities of the unit of local government during the fiscal year; (3) a detailed statement of the indebtedness of the unit of local government at the close of the fiscal year, the provisions made for the payment thereof, together with the purposes for which it was incurred; (4) a statement of the cost of ownership and operation of each and every public service industry owned, maintained or operated by the unit of local government; (5) such further or more specific information in relation to the cost of any branch of the local government and improvements therein as may be required by the department.

In the case of blank forms for financial reports by townships of the second class and poor districts, the same shall be so arranged that corresponding data and information required to be reported by said units of local government to the Department of Highways or the Department of Welfare may be used for the information required to be furnished to the Department of Internal Affairs under this section;

(c) The substance of the annual budget and financial reports required by law to be made to the Department of Internal Affairs by the corporate officers, directors, controllers and auditors of units of local government, shall be arranged by said department in such form as shall indicate the comparative receipts from the various sources of revenue and the comparative costs of the several branches of local government in the governments making such reports shall be published at the cost of the Commonwealth in an annual statement of comparative statistics which shall be issued for each class of local government as a public document, and shall be submitted by the department

to the General Assembly at each regular session. Copies thereof shall also be furnished by the department to each such local government unit named therein. (Added July 18, 1935, P. L. 1190.)

ARTICLE XIII

POWERS AND DUTIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION AND ITS DEPARTMENTAL ADMINISTRATIVE BOARDS AND COMMISSIONS

Section 1301. Powers and Duties in General.—Subject to any inconsistent provisions in this act contained, the Department of Public Instruction shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, the former Bureau of Vocational Education thereof, the former Bureau of Professional Education thereof, and the Superintendent of Public Instruction.

Section 1302. Public Schools.—The Department of Public Instruction shall have the power, and its duty shall be :

(a) To administer all the laws of this Commonwealth with regard to the establishment, maintenance, and conduct of the public schools, and particularly the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled “An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent herewith,” its amendments and supplements;

(b) To prepare blank forms for the annual district reports, with suitable instructions and forms for conducting the various proceedings and details of the system in a uniform and efficient manner, and forward the same to the county and district superintendents for distribution to and among the proper district officers of their respective counties or school districts;

(c) To prepare and furnish to the proper persons suitable blanks and all other papers required by law;

(d) Whenever required, to give advice, explanations, construction, or information, to the district officers and to citizens relative to the school laws, the duties of school officers, the management of the schools, and all other questions and matters calculated to promote the cause of education;

(e) To classify the high schools of the State, upon the basis of the reports of the directors and the State inspectors of high schools, in compliance with the provisions of the school laws;

(f) To issue all commissions to superintendents and assistant superintendents of schools in this Commonwealth;

(g) To prescribe minimum courses of study for the public schools;

(h) To prepare and furnish to boards of school directors sample blank forms for keeping and reporting school accounts, and sample bonds for their treasurers, secretaries, tax collectors, and depositories, and samples of other bonds or forms required by law;

(i) Subject to such rules, not inconsistent with law, as it may prescribe, to endorse and make valid for teaching in Pennsylvania any permanent or life teacher's certificate from any other State;

(j) To condemn, as unfit for use, on account of unsanitary or other improper conditions, any school building, school site, or out-building, in this Commonwealth, and, upon failure on the part of the board of school directors to remedy such condition, to withhold and declare forfeited all or any part of the annual appropriation apporportioned to any such school district.

Section 1303. Vocational Education.—The Department of Public Instruction shall have the power, and its duty shall be:

(a) To administer the laws of this Commonwealth relating to vocational education, industrial education, agricultural education, and household arts education, as defined in said laws;

(b) To investigate the need for and aid in the establishment of, supervise, inspect, and approve, for the purpose of reimbursement on the part of the State, schools, departments, and courses, for agricultural, industrial, commercial, and home economics, mining, and other vocational and practical education, as well as continuation schools, when maintained as a part of the public school system of the Commonwealth;

(c) Out of the funds appropriated to it by the General Assembly for the purpose, to pay for the education of deaf and blind children, residents of Pennsylvania, in schools which afford vocational training to such children, to make appropriate rules and regulations for the admission of State pupils to such schools, and to supervise the education of State pupils in any such schools.

Section 1304. Professional Education and Licensure.—The Department of Public Instruction shall have the power, and its duty shall be:

(a) To determine, value, standardize, and regulate the preliminary education, both secondary and collegiate, of those to be hereafter admitted to the practice of medicine, dentistry, and pharmacy in this Commonwealth;

(b) To prepare and distribute circulars of information;

(c) To prepare uniform blank forms;

(d) To hold examinations, at suitable times and places to be designated by the Superintendent of Public Instruction, for the determination of the fitness of applicants unable to present satisfactory certificates, and to issue certificates to those found proficient;

(e) To establish reciprocity with other States as regards preliminary education and professional licenses;

(f) To determine and publish a standard high school course, to compile, cause to be published, from time to time, a list of elementary and secondary schools in this state, which conform to the official standards promulgated by the department, and take such steps as may be appropriate to raise the standard of elementary and secondary education: **Provided, That nothing in this section shall be construed to conflict with the provisions of the statutes of this Commonwealth regulating the practice of medicine, dentistry, or pharmacy respectively;**

(g) To keep the records of all of the professional examining boards established in the department;

(h) To issue all certificates and other official documents of the various professional examining boards in the department: Provided, however, That the officers and members, or any of them, of any such examining board, may also sign such certificates and other documents, if such board shall have taken action authorizing such signatures;

(i) To assist any professional examining board within the department, if, as and when, requested by such board;

(j) To cooperate with the several professions whose examining bodies are within the department, in the determination and establishment of standards of professional education;

(k) Whenever under any act of Assembly, enacted at the session of the General Assembly at which this act was passed, or at any subsequent session of the General Assembly, the right to practice any profession, or work at any trade or occupation, shall be conditioned upon examination, licensure, or registration, to hold such examinations, make such investigations, require such information, and do and perform all other acts which may be necessary to determine whether applicants for licensure or registration are qualified to practice the profession or work at the trade or occupation within this Commonwealth, and, in proper cases, to issue licenses and certificates of registration. In performing its duties under this clause, the department shall appoint an advisory committee, of not more than five members, of each profession, trade, or occupation, applicants to practice or work at which are examined and licensed hereunder. Each such committee shall assist the department in, holding examinations, and passing upon information submitted. In cases in which there is a State association of the profession, trade, or occupation for which an advisory committee is to be selected hereunder, such State association may submit to the department, from time to time, a list of ten names of persons qualified for appointment on such committee, and the department's selection of a committee, or of persons to fill vacancies thereon, shall be made from the names submitted. Members of every advisory committee appointed by the department under the authority hereby conferred, shall serve at the pleasure of the department, and shall be compensated at the rate of fifteen dollars per diem for each day of service rendered to the department, and shall receive the expenses actually incurred by them while engaged in assisting the department, as herein provided, the payment of such expenses, however, to be subject to the rules and regulations of the Executive Board. (Amended June 1, 1931, P. L. 350.)

Section 1305. Library and Museum.—The Department of Public Instruction shall have the power, and its duty shall be, to exercise the powers and perform the duties heretofore by law vested in and imposed upon the State Library and Museum, and the several divisions thereof. The Superintendent of Public Instruction may designate the person in charge of the work to which this section refers, as the State Librarian.

The department shall have the power, and its duty shall be:

(a) To control, direct, supervise, and manage the State Library and Museum;

(b) To edit the Pennsylvania Archives;

(c) To maintain, as a part of the State Library and Museum, a law library;

(d) To preserve all public records throughout the Commonwealth, and to give special attention to the preservation of all records of the State Government, not in current use, and of historical value;

(e) To collect, classify, preserve, and make acceptable for reference, all records which may come into the possession of the library, with such exceptions as may be indicated by the department, and to examine into the condition of the records, books, pamphlets, documents, manuscripts, archives, maps, and papers, kept, filed, or recorded in the several offices of the counties, cities, and boroughs of the State;

(f) To recommend such action to be taken by the persons having the care and custody of public records, as may be necessary to secure their safety and preservation, and to cause all laws relating to public records to be enforced;

(g) To furnish to persons applying therefor, certificates relating to the public records, or copies thereof, upon the payment of such charges as shall be fixed by law;

(h) To give advice and counsel to all free libraries in the State, and to all communities which may propose to establish free libraries, in the selection of books, cataloguing, and other details of library management, and as to the best means of establishing and administering such libraries;

(i) Generally, to supervise and inspect free libraries, to require reports in such manner as may be deemed proper, and to establish and maintain a system of traveling libraries, as far as possible throughout the Commonwealth;

(j) To preserve objects illustrating the flora and fauna of the State, and its mineralogy, geology, archaeology, arts, history, and education, and, whenever deemed necessary, to illustrate the same with lantern slides or films, which may be circulated throughout the Commonwealth under such rules and regulations as the department may adopt, which rules and regulations may provide for a reasonable charge for the use of such slides and films: Provided, That in exercising its powers and performing the duties under subsections (b), (d), (e), and (f), of this section, the department shall consult and cooperate with the Pennsylvania Historical Commission.

Section 1306. Pennsylvania State Board of Censors.—The Pennsylvania State Board of Censors shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said board. It shall enforce and administer such provisions of the act, approved the fifteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, five hundred and thirty-four), entitled "An act relating to motion picture films, reels, or stereopticon views, or slides; providing a system of examination, approval, and regulation thereof, and of the banners, posters, and other like advertising matter, used in connection therewith; creating a Board of Censors; and providing penalties for the violation of the provisions of this act," its

amendments and supplements, as are not inconsistent with the provisions of this act.

Section 1307. State Council of Education.—The State Council of Education shall have the power, and its duty shall be:

(a) Subject to any inconsistent provisions in this act contained, to continue to exercise the powers and perform the duties by law vested in and imposed upon the said council;

(b) To report and recommend to the Governor, and the General Assembly, legislation needed to make the public schools of this Commonwealth more efficient and useful.

(c) To equalize, through special appropriations for this purpose, or otherwise, the educational advantages of the different parts of this Commonwealth;

(d) To inspect and require reports of the educational work in the schools and institutions wholly or partly supported by the State, which are not supervised by the public school authorities: Provided, That a copy of the report of the inspection of any such institution, which may be made to the State Council of Education, shall be sent to the head of such institution;

(e) To encourage and promote agricultural education, manual training, domestic science, and such other vocational and practical education as the needs of this Commonwealth may, from time to time, require;

(f) To prescribe rules and regulations for the sanitary equipment, and inspection of school buildings, and to take such other action as it may deem necessary and expedient to promote the physical and moral welfare of the children in the public schools of this Commonwealth; and to issue and have available for distribution to school directors, registered architects, and other persons applying therefor rules and regulations in regard to school house construction;

(g) To investigate and make recommendations pertaining to the work of any schools of design, schools of industrial arts, or industrial schools, or other educational institutions, within the Commonwealth, to which the General Assembly may make an appropriation;

(h) To exercise all the powers, and perform all the duties, formerly vested in the State Board of Education;

(i) To change the name of any State normal school to State teachers' college, and to designate the certificates and degrees which such college shall confer;

(j) To determine and promulgate standards for certificates to teach in the elementary and secondary schools of this Commonwealth, which conform to the official standards promulgated by the Department of Public Instruction. (Amended June 1, 1931, P. L. 350.)

Section 1308. Public School Employees' Retirement Board.—Subject to any inconsistent provisions in this act contained, the Public School Employees' Retirement Board shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said Retirement Board, under the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three), entitled "An act establishing a

public school employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth, and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," its amendments and supplements.

Section 1309. Pennsylvania Historical Commission.—Subject to any inconsistent provisions in this act contained, the Pennsylvania Historical Commission shall have the power:

(a) To continue to exercise the powers by law vested in the said Historical Commission;

(b) Upon its own initiative, or upon petition of municipalities or historical societies, to mark, by proper monuments, tablets, or markers, places or buildings within this Commonwealth where historical events have transpired, and, with the consent of the State or county having jurisdiction thereof, places or buildings outside of this Commonwealth having to do with its history, and to arrange for the care or maintenance of such markers or monuments;

(c) To undertake, within the means at its command, the preservation or restoration of ancient or historical public buildings, military works, or monuments, connected with the history of Pennsylvania, and, for this purpose, to contract with cities, boroughs, and townships, for and on behalf of the Commonwealth, or with historical societies, or other associations, with proper bond or security, for the maintenance of such buildings, works, or monuments, as a consideration for assistance in their erection, restoration, preservation, or marking, by the commission;

(d) To transmit to the Department of Property and Supplies, for publication or republication, matters of historical or archaeological interest, and to cooperate with said department in compiling, heading, printing, and distributing such publications;

(e) Upon its own initiative, or in cooperation with reputable societies or organizations, to conduct investigations upon historical or archaeological matters relative to Pennsylvania, and report the same for public information;

(f) To assume the preservation, care, and maintenance of historical buildings, grounds, monuments, or antiquities, committed to its custody by the General Assembly, and to make and enforce rules and regulations for the visitation of such places by the public;

(g) To receive for and on behalf of the Commonwealth gifts, or bequests of relics, or other articles of historical interest, which shall be deposited in the State Museum;

(h) To accept for the Commonwealth gifts and bequests of, or securities for, the endowment of its work, in accordance with the instructions of the donors, and, in conjunction with the Governor, Auditor General, and State Treasurer, who shall, together with the members of the commission, constitute a body of trustees for the care of such funds, invest the same in the bonds of this Commonwealth,

or of any political subdivision thereof, and to employ the interest and income from such investments for the purposes of the commission, or to apply the same to such uses as may have been specified by the respective donors of such funds;

(i) To approve or disapprove the design and proposed location of all historical monuments, memorials, buildings, tablets, and inscriptions, and to cooperate in the care or restoration of historic sites, buildings, battlefields, and other historical undertakings, maintained or executed in whole or in part at the expense of the Commonwealth;

(j) To accept and take title, in the name of the Commonwealth of Pennsylvania, to the sites of historical markers;

(k) To examine any records within the control of the several departments, boards, and commissions, of this Commonwealth, for the purposes of historical research, and to copy any such records;

(l) To examine, or cause to be examined or excavated, the sites and areas of former aboriginal or American Indian occupation within this Commonwealth, to acquire, by purchase, archaeological collections for the State Museum, to prepare a list of all such sites, to describe them, to report upon their specific archaeological culture, and to prepare for publication the information so obtained. All information, reports, scientific determinations, and other records, obtained by this survey, or archaeological collections acquired by purchase, shall be the property solely of the Commonwealth, to be deposited in the State Museum. In performing its duties under this subsection, the commission may consult and procure the advice of such archaeological and anthropological experts as it shall deem it advisable to consult.

Section 1310. Professional Examining Boards.—The professional examining boards within the Department of Public Instruction shall, respectively, exercise the rights and powers, and perform the duties, by law vested in and imposed upon them: Provided, however, That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction, but may be signed by the members of the appropriate board, or any of them, as determined by such board.

Subject to the preceding provisions of this section, and to any other inconsistent provisions in this act contained;

The State Board of Medical Examination and Licensure shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction;

The State Board of Pharmacy shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Dental Council and Examining Board shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board, the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania;

The State Board of Optometrical Examiners shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board and the Board of Optometrical Education, Examination, and Licensure;

The State Board of Osteopathic Examiners shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania; The Osteopathic Surgeons' Examining Board shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Examiners for Registration of Nurses shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Undertakers shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

(Note: Transferred to Department of Health by Act of July 19, 1935, P. L. 1324.)

The State Board of Veterinary Medical Examiners shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Examination of Public Accountants shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The State Board of Examiners of Architects shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The Anthracite Mine Inspectors' Examining Board shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board;

The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board, and the Mine Inspectors' Examining Board, created by the act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," and the amendments and supplements thereto;

The State Registration Board for Professional Engineers shall continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said board.

Section 1311. Boards of Trustees of State Institutions Within the Department.—The boards of trustees of the several State Normal Schools or Teachers Colleges, the Board of Trustees of the Cheyney Training School for Teachers, the Board of Trustees of Pennsylvania State Oral School for the Deaf, the Board of Trustees of Home for Training in Speech of Deaf Children, the Board of Trustees of Pennsylvania Soldiers' Orphan School, and the Board of Trustees of Thaddeus Stevens Industrial School, shall have general direction and control of the property and management of their respective institutions. Each of the said boards of trustees shall have the power, and its duty shall be:

(a) Subject to the approval of the Governor, to elect a president.

principal, or superintendent, of the institution, who shall, subject to the authority of the board, administer the institution, and, if deemed advisable, a business manager;

(b) On nomination by the president, principal, or superintendent, from time to time, to appoint such officers and employes as may be necessary;

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board;

(d) Subject to the approval of the Superintendent of Public Instruction, to make such by-laws, rules, and regulations for the management of the institution as it may deem advisable.

ARTICLE XIV

POWERS AND DUTIES OF THE DEPARTMENT OF MILITARY AFFAIRS AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 1401. Powers and Duties in General.—The Department of Military Affairs shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers, and perform the duties, by law vested in and imposed upon the Adjutant General, the Adjutant General's Department, the several former bureaus thereof, and the Department of Military Affairs.

Section 1402. Pennsylvania National Guard.—The Department of Military Affairs shall have the power, and its duty shall be:

(a) To keep in its custody all books and accounts and military property of the Commonwealth, issued by it, pertaining to the Pennsylvania National Guard;

(b) To distribute all orders from the Commander-in-Chief, and perform such other duties as the Commander-in-Chief shall direct;

(c) To make returns periodically, as required of the Pennsylvania National Guard, and report of their arms, uniforms, accoutrements, and ammunition, according to such forms as may be prescribed by the Secretary of War of the United States, and to forward a copy thereof to the Secretary of War of the United States;

(d) To pay the troops, and make all other disbursements authorized by law, by requisition presented to the Auditor General in the usual way;

(e) To supply, to all officers of the Pennsylvania National Guard, such copies of drill regulations, manuals of rifle practice, service manuals, and military publication forms, and books, prescribed for use of the United States Army, as the Governor as Commander-in-Chief may designate;

(f) To supply to all organizations of the Pennsylvania National Guard all necessary military stores, arms, and equipment;

(g) With the approval of the Governor as Commander-in-Chief, to sell or exchange, from time to time, such military stores belonging to the Commonwealth as are found to be unserviceable, or in state of decay, or which it may be deemed for the best interests of the Commonwealth to sell or exchange. All moneys received for stores so sold shall be paid into the State Treasury through the Department of Revenue;

(h) To audit and adjust all claims incident to the organization, training, discipline, maintenance, and service of the Pennsylvania National Guard, other than fixed allowances, and to pay such claims, when audited and adjusted, but all claims paid hereunder shall be subject to audit by the Department of the Auditor General;

(i) Subject to the approval of the Governor as Commander-in-Chief, to procure and issue, from time to time, to the Pennsylvania National Guard, such flags, standards, and guidons, as may be necessary, which shall, however, as far as practical, be similar in style to those of the United States Army.

(j) Appoint a board of not less than three commissioned officers of the Pennsylvania National Guard for the purpose of investigating claims for damages, based on injuries to persons or damages to property arising out of accident or negligence, and incident to the organization, training, discipline, maintenance, and service of the Pennsylvania National Guard, and, upon the recommendation of the board so appointed, to adjust and pay such claims for damages: Provided, however, That each such claim shall be in an amount not exceeding two hundred and fifty dollars (\$250): And provided further, however, That all claims paid hereunder shall be subject to audit by the Department of the Auditor General. (Par. (j) added July 12, 1935, P. L. 641.)

Section 1403. Pensions and Relief.—The Department of Military Affairs shall have the power, and its duty shall be:

(a) To establish rules governing the filing of claims for pensions made under and by virtue of the laws of this Commonwealth;

(b) To investigate all circumstances connected with the death of a soldier, whose death is the basis of a claim for a pension;

(c) Subject to audit by the Department of the Auditor General, to determine the amount of relief payable to any officer or enlisted man of the Pennsylvania National Guard, who is wounded or otherwise disabled while doing duty in active service of the State;

(d) On satisfactory evidence submitted or obtained, to grant such pensions as may now or hereafter be provided by law, and issue its requisition to the Auditor General, who, after auditing the same in the usual way, shall draw such warrants upon the State Treasurer therefor, to the order of the pensioner, as may now or hereafter be provided by law;

Section 1404. Naval Militia.—The Department of Military Affairs shall, subject in all respects to the Governor as Commander-in-Chief, have general supervision over the Naval Militia of this Commonwealth.

Section 1405. Loans of Arms and Accoutrements.—The Department of Military Affairs shall have the power to issue arms and accoutrements, which are the property of this Commonwealth, to the cadets of any military school, or organizations of veterans of any wars in which the United States has been engaged, under such terms and conditions as may now or hereafter be provided by law. For the return of any arms and accoutrements issued hereunder, the school or organization borrowing the same shall give bond in such amount as the

Governor shall determine, and with such sureties, and in such form, as the Department of Justice shall approve.

Section 1406. State Military Cemetery.—The Department of Military Affairs shall have the power:

(a) To select and make arrangements for ground to be set apart, in some historic spot in the Commonwealth, as an appropriate space for use as a cemetery for the burial of the bodies of soldiers, sailors, marines, and war nurses, who served in the Army or Navy of the United States during times of war, who died while in active service, or after an honorable discharge, and who entered such service while residents of Pennsylvania, as well as the bodies of members of the National Guard of Pennsylvania who died while members of the National Guard or after an honorable discharge therefrom;

(b) On behalf of the Commonwealth, to accept the dedication of any lands, in a historic spot, for use as such a cemetery;

(c) When any such cemetery shall be located and established, to maintain and regulate the same, and, for that purpose, to adopt rules and regulations to regulate burials therein of the bodies of persons entitled to be buried therein, as provided in this section.

Section 1407. The Armory Board of the State of Pennsylvania.—The Armory Board of the State of Pennsylvania shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in the said board. It shall provide, equip, maintain, manage, and regulate armories, within the limits of this Commonwealth, for the use of the National Guard of Pennsylvania, as may now or hereafter be provided by law; and may, with the approval of the Governor, accept gifts of land, with or without buildings thereon, to be used for military purposes. The title to all such lands shall be taken in the name of the Commonwealth. It may also employ funds appropriated to it, for the purpose, to purchase, for armory purposes, any suitable building erected by any person or persons.

The board may also, with the approval of the Governor, sell any buildings or armory sites which are no longer being used for military purposes. (Amended June 1, 1931, P. L. 350.)

Section 1408. State Athletic Commission.—The State Athletic Commission shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers, and perform the duties, by law vested in the said commission. It shall administer the laws allowing and regulating boxing, sparring, and wrestling matches, and exhibitions, within this Commonwealth.

Section 1409. Board of Trustees of Pennsylvania Soldiers' and Sailors' Home.—The Board of Trustees of Pennsylvania Soldiers' and Sailors' Home shall have general direction and control of the property and management of the Pennsylvania Soldiers' and Sailors' Home at Erie. It shall have the power, and its duty shall be:

(a) Subject to the approval of the Governor, to elect a superintendent of the institution, who shall, subject to the authority of the board, administer the institution, and, if deemed advisable, a business manager;

(b) On nomination by the superintendent, from time to time, to appoint such officers and employes as may be necessary;

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board;

(d) Subject to the approval of the Adjutant General, to make such by-laws, rules, and regulations, for the management of the institution as it may deem advisable.

Section 1410. State Military Reservation Commission.—The State Military Reservation Commission shall have the power, and its duty shall be:

(a) To study the present military reservation at Mt. Gretna, ascertain whether it is advantageous to the Commonwealth to retain it for use by the military forces, and, if so, to counsel with the Department of Military Affairs as to the adoption of a general policy for the improvement of the reservation, and approve the purchase of additional lands, out of funds appropriated to the Department of Property and Supplies for the purpose;

(b) If the commission shall be of the opinion that it is not advantageous to the Commonwealth to make improvements to the present military reservation, to recommend to the Department of Military Affairs another site;

(c) At all times, to consider any matters upon which the Department of Military Affairs may ask for its advice, and to investigate and study the condition of any State military reservation, and make recommendations to the department for the maintenance and improvement thereof.

Section 1411. State Veterans Commission.—The State Veterans Commission shall have the power, and its duty shall be:

(a) To advise the Adjutant General upon such matters as the Adjutant General may bring before it;

(b) To investigate the work of the Department of Military Affairs, and make recommendations to it, regarding the department's administration of the laws providing for the payment of pensions and relief, for the marking of graves of veterans, and for the selection, acquisition, and maintenance of a State Military Cemetery;

(c) To investigate and compile data concerning veterans of the armed forces of the United States, and all State and municipal activities relating thereto, and to recommend to the Governor legislation for submission to the General Assembly concerning veterans and their activities.

ARTICLE XV

POWERS AND DUTIES OF THE INSURANCE DEPARTMENT

Section 1501. Powers and Duties in General.—The Insurance Department shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, and the Insurance Commissioner.

Section 1502. Insurance.—The Insurance Department is charged

with the execution of the laws of this Commonwealth in relation to insurance.

ARTICLE XVI

POWERS AND DUTIES OF THE DEPARTMENT OF BANKING AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD AND COMMISSION

Section 1601. Powers and Duties in General.—The Department of Banking shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, the Banking Department, the Commissioner of Banking, and the Secretary of Banking.

Section 1602. Banking Supervisory Powers.—The Department of Banking shall have supervision over:

(a) All corporations, now or hereafter incorporated under the laws of this or any other State, and authorized to transact business in this State, which have power to receive, or are receiving, money on deposit, or for safekeeping, otherwise than as bailees, including all banks, banking companies, cooperative banking associations, trust, safe deposit, real estate, mortgage, title insurance, guaranty, surety and indemnity companies, savings institutions, savings banks, and provident institutions;

(b) Mutual savings funds, building and loan associations, and corporations doing a safe deposit business only;

(c) All national banking associations located within this State, now or hereafter incorporated under the laws of the United States, which shall, in pursuance of Federal law or regulation, be granted a permit to act, or shall act as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of insane persons, or in any other fiduciary capacity;

(d) All unincorporated banks, except such as are or shall be exempt by law, and all such individuals, partnerships, and unincorporated associations, as now are, or shall be, by law made subject to the supervision of the department, and any individuals or associations of individuals doing the business of cooperative banks, or of building and loan associations, or a business in the nature of either, whether under the guise of a deed of trust or otherwise.

Section 1603. Banking Laws.—The Department of Banking shall enforce and administer the laws of this Commonwealth in relation to all corporations and persons under its jurisdiction, and shall see that the greatest possible safety is afforded to depositors therein or therewith, and to other interested persons.

Section 1604. Board to License Private Bankers.—Subject to any inconsistent provisions in this act contained, the Board to License Private Bankers shall continue to exercise the powers and perform the duties vested in and imposed upon the said board by the act, approved the nineteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand and sixty), entitled “An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania, and providing penalties for the violation thereof,” its amendments and supplements.

Section 1605. Pennsylvania Securities Commission.—The Pennsylvania Securities Commission shall have the power, and its duties shall be, to administer and enforce the laws of this Commonwealth providing for the registration and regulation of certain individuals and entities selling, offering for sale or delivery, soliciting, subscriptions to or orders for, or undertaking to dispose of, inviting offers for, or inquiries about, or dealing in any manner in securities.

ARTICLE XVII

POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND ITS DEPARTMENTAL ADMINISTRATIVE COMMISSION

Section 1701. Powers and Duties in General.—The Department of Agriculture shall, subject to any inconsistent provisions in this act contained, continue to exercise all the powers and perform all the duties by law vested in and imposed upon said department, the several former bureaus thereof, and the Secretary of Agriculture.

Section 1702. Animal Industry.—The Department of Agriculture shall have the power, and its duty shall be:

(a) To promote the live stock industry, and to prevent, suppress, control, and eradicate any transmissible diseases of animals and poultry;

(b) To establish and maintain quarantines, as may now or hereafter be provided by law;

(c) To prevent the spread of infectious and communicable diseases of animals and poultry, and, for this purpose, the officers, agents, or employes thereof may, at any time, enter any premises where domestic animals or products thereof are kept confined or stored, to take such measures as may seem advisable concerning methods of preventing, controlling, and eradicating disease of animals, to cause the disinfection of any premises, and, when deemed necessary to prevent the spread of disease, to cause the destruction of animals, poultry, and personal property, and to regulate and prohibit the movement or transportation of animals or poultry into this Commonwealth, or from one place to another within this Commonwealth;

(d) To provide for the licensing of breeding animals kept for public service, and to prevent fraud and deception in the licensing of stallions kept for public service;

(e) To regulate the manufacture, use, and sale of biological products for use on domestic animals;

(f) To make such examinations and tests as may be deemed necessary to determine the healthfulness of the domestic animals and poultry of the Commonwealth;

(g) To organize and administer a service for the purpose of protecting the public against the use of unwholesome meat or meat food products.

Section 1703. Plant Industry.—The Department of Agriculture shall have the power, and its duty shall be:

(a) To inspect any nursery, orchard, farm, garden, park, cemetery, or any private or public place, which may become infested or

infected with harmful insects or plant diseases, to establish and enforce quarantines, to issue and enforce orders and regulations and make investigations for the control of said pests, wherever they may exist within the Commonwealth, and to perform such other duties relating to "plants" and "plant products" as may seem advisable and not contrary to law;

(b) To inspect apiaries, for diseases inimical to bees and bee-keeping and enforce the laws relating thereto.

Section 1704. Markets.—The Department of Agriculture shall have the power, and its duty shall be:

(a) To investigate the subject of marketing farm products, including the costs of marketing, to prepare and transmit to the Department of Property and Supplies for publication the results of such investigations, and to furnish advice and assistance to the public with reference to the marketing of farm products within this Commonwealth, and all matters relevant thereto;

(b) To gather and diffuse timely information concerning the supply, demand, prevailing prices, and commercial movement, of farm products, including quantities in common and cold storage;

(c) To secure, in the performance of the duties herein prescribed, the cooperation and assistance of all other agencies;

(d) To assist and advise in the organization and conduct of public markets, of cooperative and other associations for improving marketing conditions and activities among producers, distributors, and consumers;

(e) To investigate delays, embargoes, conditions, practices, charges and rates, in the transportation and storage of all farm products which appear to be detrimental to a free, economical, and efficient marketing of such products;

(f) To take such lawful steps as may be deemed advisable to prevent waste of perishable products;

(g) To establish standards for the grading and other classification of farm products, and to enforce the laws relating thereto.

Section 1705. Foods.—The Department of Agriculture shall have the power, and its duty shall be:

(a) To enforce the laws of the Commonwealth relating to the production, manufacture, transportation and sale of foods used for man, as well as every article entering into and intended for use as an ingredient in the preparation of foods for man;

(b) For the purpose of enforcing such laws, from time to time, to purchase from wholesale or retail dealers samples of any food or drink, and have the same analyzed or examined, and prosecute the sale of adulterated, misbranded, or deleterious foods or drink;

(c) To examine all cold storage warehouses, within the meaning of the laws of this Commonwealth, to ascertain whether they are kept in a sanitary condition, the wholesomeness of the food therein, and the time within which foods shall have been so kept;

(d) To make such rules and regulations as shall be necessary for the enforcement of the laws of this Commonwealth relating to oleomargarine, food, drink, and cold storage warehouses.

Section 1706. Chemistry.—The Department of Agriculture shall have the power, and its duty shall be:

(a) To purchase from wholesale or retail dealers, for the purpose of making chemical analysis, any fertilizers, lime, and lime products, feeds, feeding-stuffs, insecticides, fungicides, paints, oils, turpentine, putties, or materials or ingredients used in the manufacture or compound of any such fertilizers, lime, and lime products, feeds, feeding-stuffs, insecticides, fungicides, paints, oils, turpentine, or putties, and to make examinations and analyses thereof, whenever the Secretary of Agriculture shall deem advisable:

(b) To keep correct records of all analyses made of each of the commodities received.

Section 1707. Statistics.—The Department of Agriculture shall have the power, and its duty shall be, to collect, tabulate, and transmit to the Department of Property and Supplies for publication, monthly crop and live stock reports, and such other reports or bulletins, from time to time, pertaining to the agricultural industries and interests of the State as may be deemed advisable.

Section 1708. Quarantines.—The Department of Agriculture shall have the power to establish general quarantines relating to diseases of animals or plants and their products, and to make all needful rules and regulations for the enforcement of the laws relating to animals and plants or the products thereof. When a general quarantine relating to plants or their products has been declared, or rules and regulations for the enforcement of the laws relating to animals or plants or their products have been adopted, such quarantine, or rules and regulations, shall be enforced by the officers or agents of the department, and, for the purpose of enforcing such quarantines, rules and regulations, such officers and agents shall have and possess all the powers of the department, including the powers formerly by law vested in the State Livestock Sanitary Board and the Economic Zoologist.

Section 1709. State Farm Products Show Commission.—The State Farm Products Show Commission shall have the power, and its duty shall be:

(a) To formulate plans for, and conduct and manage, exhibitions, to embrace exhibits of all agricultural, industrial, and artistic products, including exhibits of all classes of farm products, embracing live stock, dairying, horticulture, all classes of manufacture, industries, and domestic arts, and such other exhibits as will best advance the interests of agriculture and the other industries of the Commonwealth:

(b) Until such time as the Commonwealth shall acquire a permanent site therefor, to lease the necessary premises for holding said exhibitions, and to sublet said premises to exhibitors, including the departments, boards, and commissions of the State Government:

(c) After the Commonwealth shall have acquired a permanent site for holding said exhibitions, to lease space to exhibitors, including the departments, boards, and commissions of the State Government, and to lease the Farm Show Building, at any time, to individuals.

ARTICLE XVIII

POWERS AND DUTIES OF THE DEPARTMENT OF FORESTS AND WATERS, ITS OFFICERS, AND DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 1801. Powers and Duties in General.—The Department of Forests and Waters shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers, and perform the duties, by law vested in and imposed upon the said department, the Secretary of Forests and Waters, the Department of Forestry, the various former bureaus and officers thereof, including the Bureau of Forest Protection, the Commissioner of Forestry, and the State Forest Commission, abolished by The Administrative Code of 1923.

Section 1802. Forest Powers and Duties.—The Department of Forests and Waters shall have the power, and its duty shall be:

(a) With the approval of the State Forest Commission, to acquire in the name of the Commonwealth by purchase, gift, lease or condemnation, and hold as State forests, subject to the conditions of any such lease, and subject to such reservations if any of mineral rights, stumpage rights, rights of way, or other encumbrances as the department and the State Forest Commission deem to be consistent with such holding any lands which, in the judgment of the department, the Commonwealth should hold, manage, control, protect, maintain, utilize and regulate as State forests: Provided, That the purchase price of any such lands shall not exceed ten dollars per acre and that the amount expended for the acquisition of lands for State forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period. (Par. (a) amended July 16, 1935, P. L. 1052.)

(b) To purchase and hold, as State forests, unseated, vacant, or unappropriated lands, lands advertised for sale for taxes, and land sold for taxes, as may now or hereafter be provided by law;

(c) To hold, manage, control, protect, maintain, utilize, develop and regulate the occupancy and use of all lands heretofore or hereafter acquired, owned, leased and maintained as State forests, together with the resources thereof. (Par. (c) amended July 16, 1935, P. L. 1052.)

(d) To divide the State into such convenient forest districts as it deems economical and effective, to administer, protect, develop, utilize, and regulate the occupancy and use of the lands and resources of the State forests, to protect all forest land in the State from forest fires, fungi, insects, and other enemies, to promote and develop forestry and knowledge of forestry throughout the State, to advise and assist land-owners in the planting of forest and shade trees, to obtain and publish information respecting forest lands and forestry in the State, to assist in Arbor Day work, and promote and advance any other activity in local forestry which the department may deem helpful to the public interest, and to execute the rules and regulations of the department for the protection of forests from fire and depredation. It may also assign district foresters to take active charge of such forest districts, and also foresters, forest rangers, and other help, for the administration of such forest districts, as the Secretary of Forests and Waters

may deem necessary, for the accomplishment throughout the State of the purposes for which the department is established;

(e) To cooperate with the authorities of townships, boroughs, and cities, of this Commonwealth in the acquisition and administration of municipal forests, as may now or hereafter be provided by law;

(f) With the advice of the State Forest Commission, to establish such rules and regulations, not inconsistent with law, for the control, management, protection, utilization, development, occupancy, and use, of the lands and resources of the State forests, as the department deems proper, to conserve the interests of the Commonwealth. Such rules and regulations shall be compatible with the purposes for which the State forests are created, namely, to provide a continuous supply of timber, lumber, wood, and other forest products, to protect the watersheds, conserve the waters, and regulate the flow of rivers and streams of the State, and to furnish opportunities for healthful recreation to the public.

The net receipts, arising out of the occupancy and use of the State forests hereunder, shall be paid into the State Treasury, through the Department of Revenue, and shall belong to and form part of the State School Fund.

(g) Whenever it shall appear that the welfare of the Commonwealth, with reference to reforestation, and the betterment of the State forests, with respect to control, management, protection, utilization, development, and regulation, of their occupancy and use, will be advanced by selling or disposing of any of the timber on the State forests, to dispose of such timber on terms most advantageous to the State; Provided, That the department is authorized and directed to set aside, within the State forests, unusual or historical groves of trees, or natural features, especially worthy of permanent preservation, to make the same accessible and convenient for public use, and to dedicate them in perpetuity to the people of the State for their recreation and enjoyment. And the said department is hereby empowered, with the advice of the State Forest Commission, to make and execute contracts or leases, in the name of the Commonwealth, for the mining or removal of any valuable minerals that may be found in said State forests, whenever it shall appear to the satisfaction of the department that it would be for the best interests of the State to make such disposition of said minerals: And provided further, That any proposed contracts or leases of valuable minerals, exceeding three hundred dollars in value, shall have been advertised once a week for three weeks, in at least two newspapers published nearest the locality indicated, in advance of awarding such contract or lease. Such contracts or leases may then be awarded to the highest and best bidder, who shall give bond for the proper performance of the contract as the department shall designate.

(h) To appoint and, with the approval of the Governor, fix the compensation of a chief forest fire warden, and such district forest fire wardens, and to appoint and fix the compensation of such local forest fire wardens and other assistants, as shall be required for the prevention, control, and extinction of forest fires;

(i) To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law;

(j) To distribute young forest trees, as provided by law, to those desiring to plant them;

(k) To furnish information, and issue certificates and requisition necessary for the payment of such fixed charges, in lieu of taxes on State forests and auxiliary forest reserves, to school districts, road districts, and counties, as may now or hereafter be provided by law;

(l) To sell or exchange State forest land, as provided by law, whenever it shall be to the advantage of the State forest interests: Provided, That such action has been authorized by resolution of the State Forest Commission, unanimously adopted at a meeting at which a majority of its members are present and voting, and has been approved by the Governor.

Section 1803. Forests Powers.—The Department of Forests and Waters shall have the power:

(a) To lease for a period not exceeding ten years, on such terms and conditions as it may consider reasonable, to any citizen, church organization or school board of Pennsylvania, such portion of any State forest, whether owned or leased by the Commonwealth, as the department may deem suitable as a site for a temporary building to be used by such citizen, church, organization or school board for health and recreation, or as a site for a church or school purposes. (Par. (a) amended July 16, 1935, P. L. 1052.)

(b) To lease for not more than ten years small areas in State forests, whether owned or leased by the Commonwealth, deemed by it to be better suited for the growing of other crops than for the growing of forest trees. If more than one person shall apply for the same tract, the lease shall be advertised for sale in three local county papers, if there be so many, once a week for three weeks, and may then be awarded to the highest responsible bidder, but the department may nevertheless reject any or all bids. Upon the termination of any such lease, the lessee may remove buildings and fences placed thereon at his own expense, or the same may be purchased by the lessor as a part of the permanent improvement of the tract upon such terms as may be agreed upon by the department and the lessee. (Par. (b) amended July 16, 1935, P. L. 1052.)

(c) To grant rights of way through State forests, to individuals or corporations who may apply therefor, when it shall appear to the department that the grant of a right of way will not so adversely affect the land as to interfere with its usual and orderly administration, and when it shall appear that the interests of the Commonwealth or its citizens will be promoted by such grant. Rights of way, as used in this subsection, is hereby construed to include rights of passage and haulage for any lawful purpose, also rights of flowage or transmission for any lawful purpose.

(d) To give to street railway companies, duly incorporated under the laws of this Commonwealth, upon such terms and subject to such restrictions and regulations as the department, with the advice of the State Forest Commission, may deem proper, the privilege to construct, maintain, and operate their lines of railway over, along, and upon public highways now laid out and in actual use, which lie within or border on any State forests, whenever the interests of the Commonwealth will be benefited thereby;

(e) With the advice of the State Forest Commission, to give to boroughs and other municipalities of this Commonwealth, upon such terms and subject to such restrictions and regulations as the department may deem proper, the privilege of impounding water upon any State forest, and of constructing, maintaining, and operating lines of pipes upon and through State forests for the purpose of conveying water therefrom, whenever it shall be to the public interest so to do;

(f) In all cases where there are public roads, regularly established, running into or through or bordering upon State forests, from time to time, to expend such reasonable sums for the maintenance, repair, or extension of such roads as may be necessary for the proper administration and protection of State forests. All expenses that may thus be incurred shall be paid in the same manner as the other expenses of the department.

(g) To enter into cooperative agreements with county, township, municipal, and private agencies, for the prevention and suppression of forest fires, as provided by law.

Section 1804. Waters.—The Department of Forests and Waters shall have the power, and its duty shall be:

(a) To study, consider, and determine upon a public policy with regard to the conservation, marketing, and equitable distribution of the water and power to be derived from the utilization of the water resources of the Commonwealth, to the restoration, development, and improvement of transportation by water, to the supply of water and power for municipal, domestic, and industrial use, and to the conservation of water resources by the aid of forestation;

(b) To investigate or examine dams and other water obstructions, determine whether they are unsafe, need repair, or should be removed, notify owners to repair or remove the same, remove the same in emergencies without notice and at the cost of the owners, and apply for injunctions to enforce compliance with or restrain the violation of the law in regard to the safety of dams or other water obstructions, or the violation of any lawful order or notice of the department in regard thereto;

(c) To collect such information relative to the existing conditions of the water resources of the State as, in the opinion of the department, shall be necessary for the utilization of waters, and for the conservation, purification, development, and equitable distribution of water and water power resources, and in particular, for the use of such citizens and communities as may be in need of extended facilities for these purposes;

(d) To establish and maintain gauging stations on rivers and their tributaries;

(e) To issue bulletins, during freshet and flood conditions, forecasting gauge heights, and the times thereof;

(f) To maintain a complete inventory of all the water resources of the Commonwealth; collect all pertinent data, facts, and information in connection therewith; classify, tabulate, record, and preserve the same; and, upon the basis thereof, determine, with the approval of the Water and Power Resources Board, the points at which storage reservoirs may be constructed for flood control, for municipal and

domestic supply, hydraulic and hydroelectric power, steam raising, steam condensation, navigation, and other utilization; and generally to devise all possible ways and means to conserve and develop the water supply and water resources of the Commonwealth for the use of the people thereof;

(g) To construct, maintain, and operate works for water storage, flood control, channel improvement, or other hydraulic purposes.

Section 1805. Cooperation with Municipalities.—The Department of Forests and Waters shall cooperate with municipalities in the construction and completion of projects and improvements for the conservation of water and the control of floods. For this purpose, the department shall have the power to use and expend any funds advanced by municipalities, under authority of law, on the projects and improvements designated, when such funds are advanced, in the same manner as it expends any funds appropriated by the Commonwealth for similar purposes.

Section 1806. Parks.—The Department of Forests and Waters shall have the power, and its duty shall be:

(a) To supervise, maintain, improve, regulate, police and preserve all parks belonging to the Commonwealth, except the Pennsylvania State Park, at Erie, Washington Crossing Park, Valley Forge Park, and Fort Washington Park;

(b) For the purpose of promoting healthful outdoor recreation and education and making available for such use natural areas of unusual scenic beauty, especially such as provide impressive views, water falls, gorges, creeks, caves or other unique and interesting features, to acquire in the name of the Commonwealth by purchase, gift, lease or condemnation, any lands which, in the judgment of the department, should be held controlled, protected, maintained and utilized as State park lands. Such lands may be purchased or accepted, subject to the conditions of any such lease, and subject to such reservations if any of mineral rights, rights of way, or other encumbrances as the department may deem not inconsistent with such holdings: Provided, however, That the amount expended for the acquisition of lands for State park purposes shall not exceed the amount specifically appropriated for such purposes, nor shall the purchase cost exceed fifty dollars per acre;

(c) To establish such rules and regulations not inconsistent with law for the control, management, protection, utilization, development, occupancy, and use of the lands and resources of State parks as it may deem necessary to conserve the interests of the Commonwealth. Such rules and regulations shall be compatible with the purposes for which State parks are created;

(d) To see that conveniences and facilities for the transportation, shelter, comfort and education of people shall be so designed and constructed as to retain so far as may be the naturalistic appearance of State park areas, surroundings and approaches, and conceal the hand of man as ordinarily visible in urban, industrial and commercial activities;

(e) To lease for a period not to exceed ten years, on such terms as may be considered reasonable to any citizen or organization of this

Commonwealth, a portion of any State park, whether owned or leased by the Commonwealth, as may be suitable as a site for temporary buildings to be used for health, recreational or educational purposes, or for parking areas or concessions for the convenience and comfort of the public;

(f) To study, counsel and advise in reference to gifts of lands or money for park purposes;

(g) To counsel and advise in reference to the development of park lands by concessionaires with facilities and equipment for the accommodation and education of the public. (Amended June 1, 1931, P. L. 350; July 16, 1935, P. L. 1052.)

Section 1807. Pennsylvania State Forest School.—The Department of Forests and Waters shall have the power, and its duty shall be:

(a) To maintain and operate the Pennsylvania State Forest School at Mont Alto;

(b) For that purpose, to employ such instructors, assign such foresters for instruction, and employ such services, as may reasonably be necessary (1) to provide at the school professional education in forestry and maintain a close association of theory and practice, and (2) to train forest rangers and forest inspectors;

(c) With the approval of the Governor, to enter into a cooperative agreement with any State or semi-State educational institution for the joint use of the facilities of the school by such institution and the department as may be deemed advisable by the Secretary of Forests and Waters. Any such agreement shall provide for an equitable division between such institution and the Commonwealth of the cost of operating the school and maintaining and repairing the buildings and equipment used by it.

Section 1808. Water and Power Resources Board.—The Water and Power Resources Board shall have the power, and its duty shall be:

(a) Subject to any inconsistent provisions in this act contained, to continue to exercise the powers and perform the duties by law vested in and imposed upon the Water Supply Commission of Pennsylvania, or in and upon said board, with regard to:

1. Applications for charters for corporations for the supply of water for the public or for the supply, storage, and transportation of water and water power, for commercial and manufacturing purposes, or for any other water or water power company.

2. Agreements for the merger and consolidation of two or more such corporations heretofore or hereafter formed.

3. The sale, assignment, disposition, transfer, and conveyance of the franchises and all the property, real, personal, and mixed, of any such corporation, heretofore or hereafter formed, to any other such corporation.

4. Consents or permits for the construction of dams, and other water obstructions, or of any change therein or addition thereto, and consents or permits for changing or diminishing the course, current, or cross section, of any stream or body of water.

5. Permits for the condemnation or appropriation of waters, or for the construction of hydraulic works.

6. Applications for new or additional sources of supply of water or water power.

7. Applications by companies for approval of the construction, operation, and maintenance of tunnels under navigable rivers, to connect their power to manufacturing plants, with coal lands wherein such companies have coal mining rights.

8. The extension of time fixed by law for the beginning or completion of the construction of the works of water or water power companies, inquiry into the standing of water or water power charters, hearings as to such beginning or completion, and as to the due diligence and bona fide intent of water and water power companies to fulfill the requirements of law, and the certification of facts to the Attorney General requesting him to institute quo warranto proceedings.

(b) To hold hearings upon and decide any other matter or thing relating to waters, which may be within the jurisdiction of the Department of Forests and Waters, and which the Secretary of Forests and Waters may request the board to hear and determine;

(c) To complete the construction of a dam across the outlet of Pymatuning Swamp, in Crawford County, for the purpose of establishing a reservoir, and conserving the water entering said swamp, and regulating the flow of water in the Shenango and Beaver Rivers. and, in connection with this project, to acquire, in the name of the Commonwealth, by purchase, condemnation, or otherwise, such lands as may be needed.

Section 1809. Geographic Board.—The Geographic Board shall have the power, and its duty shall be:

(a) To pass upon and determine all unsettled questions concerning geographic names, which arise in the administrative departments of the State Government;

(b) To determine, change, and fix the names of mountains, rivers, creeks, and other topographic features within the Commonwealth.

In the exercise of its powers, and the performance of its duties, the Geographic Board shall cooperate with the United States Geographic Board.

Section 1810. Lake Erie and Ohio River Canal Board.—Subject to any inconsistent provisions in this act contained, the Lake Erie and Ohio River Canal Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon said board.

Section 1811. Pennsylvania State Park and Harbor Commission of Erie.—Subject to any inconsistent provisions in this act contained, the Pennsylvania State Park and Harbor Commission of Erie shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission.

Section 1812. Washington Crossing Park Commission.—Subject to any inconsistent provisions in this act contained, the Washington Crossing Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission.

Section 1813. Valley Forge Park Commission.—Subject to any inconsistent provisions in this act contained, the Valley Forge Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Commissioners of Valley Forge Park.

Section 1814. Fort Washington Park Commission.—The Fort Washington Park Commission shall have the power, and its duty shall be, to supervise, maintain, improve, regulate, police, and preserve Fort Washington Park, Montgomery County.

Section 1815. State Forest Commission.—The State Forest Commission shall have the power :

(a) To consider, study, and advise, in the work of the Department of Forests and Waters, relating to forests and parks. For this purpose, the commission shall have access, at any time, to all books, papers, documents, and records pertaining or belonging to the department;

(b) To advise the department, on request, and to make recommendations, upon its initiative, for the improvement of the work of the department;

(c) To approve or disapprove the rules and regulations which the department may from time to time propose to adopt;

(d) To give or withhold its consent to any act of the department, the validity of which is, by this act, made subject to the consent of the commission.

Section 1816. Bushy Run Battlefield Commission.—The Bushy Run Battlefield Commission shall have the right, from time to time, to meet for the purpose of considering and studying the work of the department with regard to the Bushy Run Battlefield State Park in Westmoreland County, and to make recommendations and render advice to the department with reference to the conduct, improvement and maintenance thereof.

Section 1817. Powers of Forest Officers.—The persons employed, under the provisions of this act, by the Department of Forests and Waters for the protection of the State forests shall, after taking the proper official oath before the clerk of the court of quarter sessions of any county of the Commonwealth, be vested with the same powers as are, by existing laws, conferred upon constables and other peace officers, to arrest on view, without first procuring a warrant therefor, persons detected by them in the act of trespassing upon any forest or timber land within this Commonwealth, under such circumstances as to warrant the reasonable suspicion that such person or persons have committed, are committing, or are about to commit any offense or offenses against any of the laws now enacted or hereafter to be enacted for the protection of forests and timber lands. Such officers shall likewise be vested with similar powers of arrest in the case of offenses against the laws or rules and regulations enacted or established, or to be enacted or established, for the protection of the State forests, or for the protection of the fish and game contained therein: Provided, That the above-mentioned rules and regulations shall have been previously conspicuously posted upon the State forests.

Said officers shall further be empowered, and it shall be their duty, immediately upon any such arrest, to take and convey the offender or offenders before a justice of the peace or other magistrate having jurisdiction, for hearing and trial or other due process of law: Provided further, That this act shall extend only to the case of offenses committed upon the State forests, and lands adjacent thereto, and the powers herein conferred upon said officers shall not be exercised beyond the limits thereof, except where necessary for the purpose of pursuing and arresting such offenders, or of conveying them into the proper legal custody for punishment as aforesaid.

Section 1818. Powers of Chief Forest Fire Warden.—The Chief Forest Fire Warden shall, subject to the approval of the Secretary of Forests and Waters, have the power, and his duty shall be:

(a) To take such measures for the prevention, control, and extinction of forest fires, as will assure a reasonable protection from fire to woodlots, forest, and wild land within the Commonwealth;

(b) To supervise and manage the forest fire wardens throughout the Commonwealth, and, when necessary, to appoint persons who shall serve without compensation as special or as ex officio fire wardens. Such special or ex officio fire wardens shall have the same powers as local forest fire wardens, but their duties may be changed or extended by the chief forest fire warden. Any special or ex officio forest fire warden, appointed as herein provided, shall be entitled to receive the necessary expenses incurred by him in the performance of his duties as fire warden;

(c) To report to the Secretary of Forests and Waters, at such times as the secretary shall require, covering all phases of the work done under his direction;

(d) To collect, with the assistance of the fire wardens under his supervision, data as to location, area, and fire hazards, of woodlots, forest, and wild lands, within the State, as to forest fires and losses resulting therefrom, and such other data as he may desire to present to the department or to the public;

(e) To plan and to put into operation and maintain a system of fire towers and observation stations, which shall cover the regions subject to forest fires, and, to purchase the necessary materials and equipment and hire the necessary labor therefor;

(f) During dry seasons, whenever necessary, to appoint certain forest fire wardens as patrolmen for regions subject to great fire risk;

(g) To enter into agreements with persons, associations, or corporations, upon satisfactory terms, for forest fire prevention or control;

(h) To conduct educational work in relation to the protection of forests from fire;

(i) To approve and transmit to the Secretary of Forests and Waters all correct bills for expenses incurred by him or under his supervision;

(j) To declare a public nuisance any property which by reason of its condition or operation is a special forest fire hazard, and, as such, endangers other property or human life. He shall notify the

owner of the property, or the person responsible for the condition declared a public nuisance, and advise him of the abatement of such public nuisance. In case of a railroad, such notice shall be served upon the superintendent of the division upon which the nuisance exists.

(k) To collect and arrange information concerning violation of laws relating to the protection of forests from fire, and present the same to the Secretary of Forests and Waters, who shall file it with the Department of Justice for legal action;

(l) To issue, to persons appointed forest fire wardens, certificates of appointment, and, when deemed advisable, to issue badges to such persons.

Section 1819. Powers of District Forest Fire Wardens.—Each district fire warden shall have the power, and his duty shall be:

(a) To establish headquarters at some advantageous place within his district;

(b) To act as the field representative of the Chief Forest Fire Warden;

(c) To collect and forward to the Chief Forest Fire Warden such data within his district as may be required by the Chief Forest Fire Warden;

(d) To make recommendations to the Chief Forest Fire Warden for the appointment of local fire wardens, the location of towers, the employment of patrolmen, the region to be patrolled, and such other matters as may come to his attention which would tend to improve the protective system;

(e) To arrange for annual meetings of fire wardens within his district for instruction in forest fire matters;

(f) To report to the Chief Forest Fire Warden conditions existing within his district, which are or may become forest fire hazards, and to serve notices for the correction or removal of such conditions, after and when issued by the Chief Forest Fire Warden,

(g) To receive, audit and, if correct, approve the reports and accounts of the local fire wardens, before submitting them to the Chief Forest Fire Warden;

(h) To act as an inspector of the work of the local fire wardens and render assistance to them;

(i) To conduct educational work, and develop cooperation between local agencies and the Department of Forests and Waters for the prevention and suppression of forest fires;

(j) To perform such other duties as may be assigned to him by the Secretary of Forests and Waters and the Chief Forest Fire Warden.

Section 1820. Powers of Local Forest Fire Wardens.—It shall be the duty of each local forest fire warden:

(a) Whenever fire is discovered in or approaching woodlots, forests, or wild lands, whether the same be owned by individuals, corporations, or by the Commonwealth, immediately to take such measures as are necessary to extinguish the fire;

(b) Whenever fires have been combated or extinguished, to prepare a correct statement of expenses, upon forms to be furnished by the department, which must be filed with the district forest fire warden and by him forwarded to the Chief Forest Fire Warden within sixty days of the date of the fire;

(c) Promptly to investigate the cause of each fire which comes to his knowledge, collect such evidence as may be discovered relating thereto, and such other facts as he may be directed to investigate, and report the same to the Chief Forest Fire Warden;

(d) To attend an annual meeting of forest fire wardens in his district when notified, or present a reasonable excuse;

(e) When designated as a patrolman or watchman, to perform such duties as may be assigned him by the Chief Forest Fire Warden, or by the district forest fire warden.

Section 1821. Powers of all Forest Fire Wardens.—Every forest fire warden, appointed as provided in this act, shall have the power;

(a) To employ such other persons, as in his judgment may be necessary, to render assistance in extinguishing forest fires, and to compel the attendance of persons, and to require their assistance, in the extinguishing of forest fires;

(b) To administer an oath or affirmation, in order to examine any person who he believes knows facts relating to any forest fire, or who claims compensation for services rendered;

(c) To enter upon any land at any time for the purpose of performing duties in accordance with this act;

(d) To arrest on view, without first procuring a warrant, any person detected by him in the act of committing an offense against any of the laws for the protection of forests, woodlots, or wild lands, or, when he shall have a reasonable suspicion that any person is committing or about to commit some such offense. Such forest warden shall have further power to take the offender before a justice of the peace, magistrate, or other officer having jurisdiction, for hearing, trial or other due process of law;

(e) To exercise the foregoing powers, not only in the jurisdiction, for or within which he may have been appointed, but also in adjacent or other boroughs, townships, or counties.

ARTICLE XIX

POWERS AND DUTIES OF THE DEPARTMENT OF MINES AND ITS DEPARTMENTAL ADMINISTRATIVE OFFICERS

Section 1901. Powers and Duties in General.—The Department of Mines shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department and the Chief of the Department of Mines.

Section 1902. Mines.—The Department of Mines shall have the power, and its duty shall be:

(a) To see that the mining laws of the Commonwealth are faithfully executed, and, for that purpose, cause lawfully qualified mine

inspectors to enter, inspect, and examine any mine or colliery within the Commonwealth and the works and machinery connected therewith;

(b) To give such aid and instruction to the mine inspectors, from time to time, as may be calculated to protect the health and promote the safety of all persons employed in and about the mines;

(c) To make such examinations and investigations as may be necessary to enable it to make recommendations upon any matters pertaining to the general welfare of coal miners and others connected with mining and the interests of mine owners and operators in the Commonwealth;

(d) *Through a separate bureau, to take such steps as it may deem advisable to promote the welfare of the mining and mineral interests of the Commonwealth, and the use of the mineral products of Pennsylvania. The exercise of this function shall not in any way interfere with the safety work of the department.* (Amended June 1, 1931, P. L. 350.)

Section 1903. Mine Inspectors.—Subject to any inconsistent provisions in this act contained, anthracite mine inspectors and bituminous mine inspectors shall, respectively, under the direction of the Secretary of Mines, continue to exercise the powers and perform the duties by law vested in and imposed upon them.

ARTICLE XX

POWERS AND DUTIES OF THE DEPARTMENT OF HIGHWAYS

Section 2001. Powers and Duties in General.—The Department of Highways shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, the Secretary of Highways, the former State Highway Department, and State Highway Commissioner.

Section 2002. State and State-aid Highways.—The Department of Highways shall have the power, and its duty shall be;

(a) To mark, build, rebuild, relocate, fix the width of, construct, repair, and maintain, such highways as may now or hereafter be designated by law as State highways;

(b) To have exclusive authority and jurisdiction over all State highways;

(c) To superintend, supervise and control the work of building, rebuilding, maintaining and repairing State-aid highways;

(d) To enter into contracts for constructing, repairing, or maintaining, State highways, or any parts thereof, as may now or hereafter be provided by law.

Section 2003. Machinery, Equipment, Lands and Buildings.—The Department of Highways shall have the power, and its duty shall be:

(a) Subject to the limitations hereinbefore in this act contained, to purchase and maintain materials, supplies, and equipment, necessary for the construction and repair of highways, and to employ all labor necessary therefor;

(b) If necessary in order to expedite and more efficiently to carry out the work of the department, to purchase and maintain, at the expense of the department, wagons and other vehicles, and horses, mules, and harness, and provide for their keep and maintenance;

(c) To purchase and acquire and lease lands, in the name of the Commonwealth, and situated anywhere therein, containing stone suitable for use in the construction or maintenance of highways, and to quarry and prepare the stone therein for use in the construction and maintenance of the State highways or State-aid highways, and to manufacture any other material used in the construction or maintenance thereof, and to use such stone and material so quarried, prepared, and manufactured, for such construction and maintenance, or to sell, furnish, and supply the same to contractors engaged in building or maintaining the State highways or State-aid highways, or to the townships for the construction and maintenance of roads and bridges, upon such terms and conditions, and for such price, as the department shall deem best for the interests of the Commonwealth;

(d) To erect such buildings, and purchase such machinery, as may be necessary or essential for the proper prosecution of the work of quarrying and preparing stone and manufacturing materials for use in the construction and maintenance of State highways and State-aid highways, and to employ all labor required for the operation thereof;

(e) With the approval of the Governor and of the Department of Property and Supplies, to purchase, or otherwise acquire, land, in the name of the Commonwealth, for the purpose of erecting thereon garages, storage sheds, or other buildings necessary in connection with the construction or maintenance of highways, and to erect on the land thus acquired such garages, storage sheds or other buildings;

(f) To rent State-owned road building equipment to political subdivisions of the Commonwealth, for periods not exceeding three months, upon such terms as shall be established by the rules and regulations of the department, with the approval of the Governor;

(g) To make suitable arrangements for the operation, by persons, associations or corporations, of commissaries for employes of the department engaged in building roads at places remote from any place where board and lodging may be procured by such employes and to deduct from the pay of such employes and pay to the persons, associations, or corporations operating such commissaries, the amount owing to them by such employes.

Section 2004. Highway Districts.—The Department of Highways shall have the power, and its duty shall be to divide the State into suitable highway districts or divisions or both, and place in charge of each such district or division or both such employe of the department as the Secretary of Highways shall deem advisable. Each such employe shall perform such duties in connection with his district or division or both as the department shall prescribe.

Section 2005. General Road Improvement.—The Department of Highways shall have the power, and its duty shall be:

(a) To make a survey of all the roads of the State and a general highway plan of the State, and to compile statistics and collect in-

formation relative to the mileage character, and condition of the roads in the townships and counties of the State;

(b) To investigate and determine upon the various methods of road construction best adapted to the various sections of the State, and to establish standards for the construction and maintenance of highways in various sections, taking into consideration the topography of the country and the natural conditions and the character and ability of the townships and counties to build and maintain roads as provided by law;

(c) In all reasonable ways, to advise and give information to county, city, borough, incorporated town, or township officers, having authority over highways and bridges, relative to the construction, repairing, alteration, and maintenance of such highways and bridges;

(d) To aid in promoting road improvement throughout the State, and, for that purpose, to prepare and compile useful information relative to road building and maintenance, which may be disseminated by means of printed bulletins;

(e) To cause to be published maps, showing complete road surveys of each county, which shall be kept on sale in the department at the cost of publication;

(f) To call such State, county, or township road meetings or conventions, at such times and at such places as the department shall deem wise, and to assist in the formation of county associations of township officers and be represented at their conventions.

Section 2006. Township Roads.—The Department of Highways shall have the power, and its duty shall be:

(a) To have general supervision over all township highways and bridges constructed, improved or maintained, in whole or in part, by the aid of State moneys, and to approve all agreements made by township supervisors for the expenditure of moneys appropriated by the State for road purposes;

(b) To approve plans and specifications and estimates for the erection and repair of township bridges and culverts, and for the construction and maintenance of township highways, but such plans and specifications shall not be approved unless they conform to the standards of the department, and no contract for the repair or construction of any township bridge or culvert or for the reconstruction of a township road shall be valid, unless such contract is in accordance with plans prescribed or unless plans, specifications, and estimates have been prepared or approved by the department;

(c) To furnish, from time to time, bulletins of instruction to the boards of township supervisors throughout the State for the building, repairing, maintenance, and improvement of township roads and bridges, and to furnish any additional information when called upon to do so. The department may also furnish, from time to time, free of charge, standard plans and specifications for permanent improvements in the building of bridges and culverts, establish all grades, proper drainage, and such other matters as may be deemed essential;

(d) To prescribe the method of keeping township accounts and records of moneys received and expended for highways, machinery, bridges, tools, and implements, and for miscellaneous purposes; from

time to time to cause examination of all such accounts and records to be made; and to furnish and supply to the several township officers all necessary books, blanks, forms, and supplies, which shall be necessary for the proper conduct of the road work of the township.

Section 2007. State Reward Fund.—The Department of Highways shall administer the State Reward Fund as may now or hereafter be provided by law.

Section 2008. Toll Roads and Bridges.—The Department of Highways shall have the power to acquire, for and on behalf of the Commonwealth, by purchase or otherwise, turnpike or toll roads, or any parts thereof, or toll bridges, in such manner and under and subject to such terms and conditions as may now or hereafter be provided by law.

Section 2009. Rebuilding County Bridges Destroyed by Flood, Fire and Other Casualty.—The Department of Highways shall have the power, and its duty shall be, to prepare plans for and rebuild county bridges over navigable rivers and other streams, where such bridges have been destroyed by flood, fire, or other casualty, as may be provided by law: Provided, however, That such bridges shall be rebuilt only if and when the General Assembly shall have specifically appropriated funds for such purpose.

Section 2010. State Bridge Commission.—The State Bridge Commission shall have the power, and its duty shall be, to acquire, maintain, and operate intrastate toll bridges, and, for the purpose of acquiring such bridges, to enter into such agreements, issue such revenue bonds or other securities, and perform such other functions as shall, from time to time, be prescribed by law. (Added June 1, 1931, P. L. 350, name of commission changed to "State Bridge and Tunnel Commission," July 12, 1935, P. L. 735.)

ARTICLE XXI

POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS

Section 2101. Powers and Duties in General.—The Department of Health shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, the former bureaus thereof, the Commissioner of Health, and the Secretary of Health.

Section 2102. General Health Administration.—The Department of Health shall have the power, and its duty shall be:

(a) To protect the health of the people of this Commonwealth, and to determine and employ the most efficient and practical means for the prevention and suppression of disease;

(b) To cause examination to be made of nuisances, or questions affecting the security of life and health, in any locality, and, for that purpose, without fee or hindrance, to enter, examine and survey all grounds, vehicles, apartments, buildings, and places, within the Commonwealth, and all persons, authorized by the department to enter, examine and survey such grounds, vehicles, apartments, buildings and

places, shall have the powers and authority conferred by law upon constables;

(c) To order nuisances, detrimental to the public health, or the causes of disease and mortality, to be abated and removed, and to enforce quarantine regulations;

(d) If the owner or occupant of any premises, whereon any nuisance detrimental to the public health exists, fails to comply with any order of the department for the abatement or removal thereof, to enter upon the premises, to which such order relates, and abate or remove such nuisance, as may now or hereafter be provided by law;

(e) For the purpose of collecting or recovering the expense of the abatement or removal of a nuisance, to file a claim, or maintain an action, in such manner as may now or hereafter be provided by law, against the owner or occupant of the premises upon or from which such nuisance shall have been abated or removed by the department;

(f) To revoke or modify any order, regulation, by-law, or ordinance, of a local board of health, concerning a matter which, in the judgment of the department, affects the public health beyond the territory over which such local board has jurisdiction;

(g) To promulgate its rules and regulations by sending printed copies thereof to all local boards of health, county and district superintendents of schools, and clerks of councils of cities and boroughs, and by printing the same once in at least one daily newspaper of Philadelphia and Pittsburgh, and to cause to be printed, in circular form, such rules and regulations and give copies thereof to any person requesting the same;

(h) Whenever, in the opinion of the department, conditions exist in any borough, or any township of the first class, within the Commonwealth, which constitute a menace to the lives and health of the people living outside the corporate limits of such borough or township, or, after it be known to the department that any borough or any township of the first class is without an existing or efficient board of health, to enter and take full charge of and administer the health laws, regulations, and ordinances, of such borough or township, and to continue in charge thereof, until the department shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township and is ready, able, and willing to assume and carry into effect the duties imposed upon it by law, and to collect all expenses incurred by the department in performing its duties hereunder, as may now or hereafter be provided by law;

(i) To take over the administration of the health laws in any such borough or township, at the expense of the department, whenever the borough or township shall request the department to do so, and the department shall deem it advisable to comply with such request;

(j) To prescribe standard requirements for the conduct of the medical inspection of the pupils of the public schools throughout the Commonwealth, and to appoint medical inspectors to make such school inspections, as may now or hereafter be provided by law.

Section 2103. Housing.—The Department of Health shall have the power, and its duty shall be, to investigate the sanitary condition of tenements, lodging and boarding houses, and, when the same are

found to be a menace to those occupying the same, or employed therein, or to be overcrowded, to condemn the same, in such manner and subject to such limitations as may now or hereafter be provided by law, and to notify the owners or agents thereof, in writing, setting forth the unsanitary or overcrowded condition thereof, specifying the changes or alterations which shall be made thereto for the purpose of relieving such condition, and further specifying the time within [which] such changes or alterations shall be completed or overcrowding relieved: Provided, That in making inspections as authorized by this section, the Department of Health shall cooperate with the Department of Labor and Industry, for the purpose of avoiding any duplication of inspection or overlapping of functions.

For the purpose of making investigations authorized by this section, the officers and agents of the department shall, at all times, have the right of ingress into all tenement, lodging, and boarding houses.

Section 2104. Vital Statistics.—The Department of Health shall have the power, and its duty shall be:

(a) To obtain, collect, compile, and preserve all statistics of marriages, deaths, diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all professions whose occupation is deemed to be of importance in obtaining a complete registration of births, deaths, marriages, and diseases, or other vital statistics;

(b) To prepare the necessary methods, forms, and blanks, for obtaining and preserving records of registration of births, deaths, marriages, and diseases, and to insure the faithful registration of the same in the townships, boroughs, cities, and counties, of the State, and in the department;

(c) To see that the laws requiring the registration of births, deaths, marriages, and diseases, are uniformly and thoroughly enforced throughout the State, and prompt returns of such registrations made to the department;

(d) With the advice and concurrence of the Advisory Health Board, to make appropriate regulations for the thorough organization and efficiency of the registration of the vital statistics throughout the Commonwealth, and to enforce such regulations;

(e) To issue marriage, birth, and death certificates, and such burial or removal permits, as may now or hereafter be provided by law;

(f) To establish such districts for the registration of vital statistics, and appoint such registrars, deputies, and sub-registrars, as may be necessary, properly to obtain, collect, compile, and preserve the statistics which the department is required to obtain, collect, compile, and preserve. All local registrars, deputies, and sub-registrars, appointed under this section, shall perform such duties as shall be required of them by the department, and shall receive such compensation as may now or hereafter be fixed by law.

Section 2105. Health Districts and Officers.—The Department of Health shall have the power, in order to enable it more efficiently to manage the sanitary affairs of the Commonwealth, to apportion the Commonwealth into such number of health districts as the department, with the approval of the Governor, shall decide, and, in each district, to

appoint a health officer, who shall, under the direction of the department, have supervision and control of the sanitary affairs of the district.

Section 2106. Quarantines.—The Department of Health shall have the power, and its duty shall be:

(a) With the approval and concurrence of the Advisory Health Board, to declare certain diseases to be communicable, in addition to those by law declared so to be, and to establish such regulations for the prevention of the spread of such diseases as the department and the Advisory Health Board shall deem necessary and appropriate;

(b) To establish and enforce quarantines, in such manner, for such period, and with such powers, as may now or hereafter be provided by law, to prevent the spread of diseases declared by law or by the department to be communicable diseases;

(c) To administer and enforce the laws of this Commonwealth with regard to vaccination and other means of preventing the spread of communicable diseases.

Section 2107. Tuberculosis Sanatoria.—The department of Health shall have the power, and its duty shall be:

(a) To maintain sanatoria, or colonies for the reception and treatment of indigent persons affected with tuberculosis;

(b) To approve or disapprove plans and specifications for county hospitals or sanatoria erected for the treatment therein of indigent persons suffering from tuberculosis, as may now or hereafter be provided by law.

Section 2108. Narcotic Drugs.—The Department of Health shall have the power, and its duty shall be, to supervise the enforcement of, and administer, laws regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of narcotic drugs.

Section 2109. Water Pollution.—The Department of Health shall have the power, and its duty shall be:

(a) To act as the enforcement agent for the Sanitary Water Board. The department shall make such inspections, conduct such investigations, and do such other acts as the Sanitary Water Board shall, from time to time, direct, but the department shall, in the exercise of its powers and the performance of its duties hereunder, be subject at all times to the rules and regulations, orders, and directions of the Sanitary Water Board: Provided, however, That between sessions of the board, the department shall have the power to issue such orders, and take such action, within the powers of the board, as the circumstances may require, but any order so issued and any action so taken may be rescinded or revoked by the board at its next session.

(b) To issue water works permits, and stipulate therein the conditions under which water may be supplied to the public, and to administer sections one, two, and three of the act, approved the twenty-second day of April, one thousand nine hundred and five (Pamphlet Laws, two hundred and sixty), entitled "An act to preserve the purity of the waters of the State for the protection of the public health," its amendments and supplements.

Section 2110. Sanitary Water Board.—Subject to any inconsistent provisions in this act contained, the Sanitary Water Board shall have the power, and its duty shall be :

(a) To exercise all the powers, and perform all the duties, vested in and imposed upon the Commissioner of Health, the Governor, and the Attorney General, or any of them, by sections four and five, and sections seven to eleven inclusive, of the act, approved the twenty-second day of April, one thousand nine hundred and five (Pamphlet Laws, two hundred and sixty), entitled “An act to preserve the purity of the waters of the State for the protection of the public health,” which reads as follows:

“Section 4. No person, corporation, or municipality shall place, or permit to be placed, or discharge, or permit to flow into any of the waters of the State, any sewage, except as hereinafter provided. But this act shall not apply to waters pumped or flowing from coal mines or tanneries, nor prevent the discharge of sewage from any public sewer system, owned and maintained by a municipality, provided such sewer system was in operation and was discharging sewage into any of the waters of the State at the time of the passage of this act. But this exception shall not permit the discharge of sewage from a sewer system which shall be extended subsequent to the passage of this act.

“For the purpose of this act, sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals.

“Section 5. Upon application duly made to the Commissioner of Health, by the public authorities having by law the charge of the sewer system of any municipality, the Governor of the State, the Attorney General, and the Commissioner of Health shall consider the case of such a sewer system, otherwise prohibited by this act from discharging sewage into any of the waters of the State, and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby, the Commissioner of Health may issue a permit for the discharge of sewage from any such sewer system into any of the waters of the State, and may stipulate in the permit the conditions on which such discharge may be permitted. Such permit before being operative, shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located. Every such permit for the discharge of sewage from a sewer system shall be revocable, or subject to modification and change, by the Commissioner of Health, on due notice, after an investigation and hearing, and an opportunity for all interested therein to be heard thereon, being served on the public authorities of the municipality owning, maintaining, or using the sewage system. The length of time, after receipt of the notice, within which the discharge of sewage shall be discontinued may be stated in the permit, but in no case shall it be less than one year or exceed two years, and if the length of time is not specified in the permit it shall be one year. On the expiration of the period of time prescribed, after the service of a notice of revocation, modification, or change, from the Commissioner of Health, the right to discharge sewage into any of the waters of the State shall cease and terminate; and the prohibition of this act against such discharge shall be in full force, as though no permit had

been granted, but a new permit may thereafter again be granted as hereinbefore provided.

“Section 7. The penalty for the discharge of sewage from any public sewer system into any of the waters of the State, without a duly issued permit, in any case in which a permit is required by this act, shall be five hundred dollars, and a further penalty of fifty dollars per day for each day the offense is maintained, recoverable by the Commonwealth, at the suit of the Commissioner of Health, as debts of like amount are recoverable by law. The penalty for the discharge of sewage from any public sewer system into any of the waters of the State, without filing a report, in any case in which a report is required to be filed, shall be fifty dollars, recoverable by a like suit.

“Section 8. All individuals, private corporations, and companies that, at the time of the passage of this act, are discharging sewage into any of the waters of the State may continue to discharge such sewage, unless, in the opinion of the Commissioner of Health, the discharge of such sewage may become injurious to the public health. If at any time the Commissioner of Health considers that the discharge of such sewage into any waters of the State may become injurious to the public health, he may order the discharge of such sewage discontinued.

“Section 9. Every individual, private corporation, or company shall discontinue the discharge of sewage into any of the waters of the State, within ten days after having been so ordered by the Commissioner of Health.

“Section 10. Any individual, private corporation, or company that shall discharge sewage, or permit the same to flow into the waters of the State, contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of twenty-five dollars for each offense, and a further fine of five dollars per day for each day the offense is maintained, or by imprisonment not exceeding one month, or both, at the discretion of the court.

“Section 11. Any order or decision, under this act, of the Commissioner of Health, or that of the Governor, Attorney General and Commissioner of Health, shall be subject to an appeal to any court of common pleas of the county wherein the outlet of such sewer or sewer system, otherwise prohibited by this act, is situated; and said court shall have power to hear said appeal, and may affirm or set aside said order or decision, or modify the same, or otherwise fix the terms upon which permission shall be granted. But the order or decision appealed from shall not be superseded by the appeal, but shall stand until the order of the court as above.”

Provided, That it shall require the affirmative votes of three of the members of the board to authorize the granting of a permit for discharging sewage into any of the waters of the State under section five of the said act;

(b) To exercise all other powers not contrary to law formerly exercised by the Department of Health, or the Commissioner of Health, with regard to granting permits for the erection of sewage disposal works or plants, and the construction of sewers or sewer systems;

(c) To exercise all the powers, not contrary to law, exercised by the former Department of Fisheries, the former Commissioner of Fisheries, and the former Water Supply Commission of Pennsylvania, with regard to the prevention of pollution of the waters of this Commonwealth;

(d) To investigate, hold hearings upon, and determine any question of fact regarding the purity of water supplied to the public by any public service company over which the Public Service Commission of the Commonwealth of Pennsylvania has jurisdiction, whenever said commission shall certify such question to the board.

The findings of the board upon any such questions shall be incorporated in and made a part of the determination or decision by said commission of the controversy or other proceeding in connection with which the question arose, and shall be binding upon the parties to such controversy or other proceeding, unless either party shall take an appeal from the commission's determination or decision as may now or hereafter be provided by law.

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof;

(f) To study, investigate, and, from time to time, report ways and means of eliminating from the streams and waters of the Commonwealth, so far as practicable, all substances and materials which pollute or tend to pollute the same, and to determine and recommend methods of preventing pollution detrimental to the public health, or to the health of animals, fish, or aquatic life, or detrimental to the use of waters for recreational purposes. The board shall have the power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth, and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth;

(g) To call upon the Department of Health to make such inspections, conduct such investigations, and do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the board.

Section 2111. Advisory Health Board.—The Advisory Health Board shall have the power, and its duty shall be:

(a) To advise the Secretary of Health on such matters as he may bring before it;

(b) To make such reasonable rules and regulations, not contrary to law, as may be deemed by the board necessary for the prevention of disease, and for the protection of the lives and health of the people of the Commonwealth, and for the proper performance of the work of the Department of Health, and such rules and regulations, when made by the board, shall become the rules and regulations of the department.

Section 2112. Anatomical Board.—The Anatomical Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board. (See note to Section 440, above).

Section 2113. State Hospital for Crippled Children.—The Department of Health shall have the power, and its duty shall be, to manage and control the State Hospital for Crippled Children at Elizabethtown. The department shall have full control over the admission of patients to and their discharge from said hospital.

ARTICLE XXII

POWERS AND DUTIES OF THE DEPARTMENT OF LABOR AND INDUSTRY, ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND DEPARTMENTAL ADMINISTRATIVE OFFICERS

Section 2201. Powers and Duties in General.—The Department of Labor and Industry shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, the several former bureaus and divisions thereof, and the Industrial Board abolished by the Administrative Code of one thousand nine hundred and twenty-three.

Section 2202. Inspection and Administration.—The Department of Labor and Industry shall have the power, and its duty shall be:

(a) To inspect, during reasonable hours, and as often as practicable, every room, building, or place within this Commonwealth where and when any labor is being performed, which is affected by the provisions of any law of this Commonwealth, and all buildings in which public assemblies are held, and for this purpose to enter any such room, building or place;

(b) To receive and examine plans for all buildings more than two stories high, and all places of assembly outside of cities of the first and second classes, and second class A, and to approve the same, as may now or hereafter be provided by law;

(c) To receive and check plans for elevator installations outside of cities of the first and second classes, and to issue permits for the erection and repair of elevators, as may now or hereafter be provided by law;

(d) To file reports of inspection of elevators, received from inspectors employed by the department, or from inspectors holding certificates of competency issued by the department;

(e) To inspect boiler, and to receive and check reports of inspection of boilers, made by inspectors holding certificates of competency issued by the department;

(f) To issue licenses, after examination, to motion picture projectionists and apprentices, as may now or hereafter be provided by law;

(g) To receive reports of industrial accidents to persons, and to direct the investigation of such accidents, and prescribe means for the prevention of similar accidents;

(h) To issue orders for removing or safe-guarding against hazards that may cause accidents to employes, as may now or hereafter be provided by law.

Section 2203. Investigations.—The Department of Labor and Industry shall have the power to make investigations and surveys upon

any subject within the jurisdiction of the department, either upon its own initiative or upon the request of the Industrial Board.

Section 2204. Statistics.—The Department of Labor and Industry shall have the power to collect, compile, and transmit to the Department of Property and Supplies for publication, statistics relating to labor and industry, to organizations of employes, and to organizations of employers.

Section 2205. Rules and Regulations.—Subject to approval by the Industrial Board, the Department of Labor and Industry shall have the power to make rules and regulations for carrying into effect the laws regulating the labor of persons within this Commonwealth, and the construction, ventilation, and equipment of the rooms, buildings, or places where such labor is performed, or where public assemblies are held, and to enforce all such rules and regulations. Promptly upon the approval of such rules and regulations by the Industrial Board, the department shall make public announcement of their adoption, and shall transmit them to the Department of Property and Supplies to be by it published in such quantity as to enable the Department of Labor and Industry to supply copies of the same to persons applying therefor.

Section 2206. Mediation and Arbitration.—The Department of Labor and Industry shall have the power, and its duty shall be, whenever a difference arises between an employer and his employes with regard to wages, hours, or conditions of employment, to send a representative of the department promptly to the locality in which such difference exists, and endeavor by mediation to effect an amicable settlement of the controversy. If such settlement cannot be effected, and the dispute is submitted for arbitration, the department, in the event of the failure of representatives of employer and employes to name an impartial person to act as chairman of the board of arbitration, shall, if requested by the parties to the dispute, select such person to act as such chairman.

Section 2207. Women and Children.—The Department of Labor and Industry shall have the power, and its duty shall be:

(a) To make studies and investigations of the special problems connected with the labor of women and children;

(b) To create the necessary organization, and to appoint an adequate number of inspectors, to enforce the laws and rules and regulations of the department relating to the work of women and children.

Section 2208. Workmen's Compensation.—The Department of Labor and Industry shall have the power, and its duty shall be:

(a) To administer and enforce the laws of this Commonwealth, as now existing or hereafter enacted, relating to workmen's compensation: Provided, however, That the Workmen's Compensation Board and the Workmen's Compensation Referees shall perform their respective duties independently of the Secretary of Labor and Industry, or any other official of the department, except that all clerical, stenographic and other assistance required by the Workmen's Compensation Board and the several Workmen's Compensation Referees shall be appointed by the department as provided in this act;

(b) To receive and classify reports of all accidents; to receive and approve or disapprove agreements, supplemental agreements, receipts, final receipts, and other papers in workmen's compensation cases, which have heretofore been subject to approval by the Workmen's Compensation Board, and to notify the parties of its approval or disapproval within thirty days after receipt of such agreements, supplemental agreements, receipts, final receipts, or other papers, as provided by law;

(c) To follow up all cases in which workmen's compensation agreements shall have been filed, and see that such agreements are fulfilled in accordance with the provisions thereof and the laws of this Commonwealth;

(d) To advise injured workmen of their rights under the workmen's compensation laws;

(e) From time to time, to divide the State into such number of workmen's compensation districts as it may, with the approval of the Executive Board, deem advisable for the proper administration of the workmen's compensation laws;

(f) To receive and refer to the Workmen's Compensation Board claims in contested cases, and mail decisions of the Workmen's Compensation Board, and of Workmen's Compensation Referees, in all contested cases, to claimants and defendants;

(g) To render to the Workmen's Compensation Board any reasonable assistance requested by the board in the conduct of its work;

(h) Except in cases in which the Commonwealth's liability therefor is covered by insurance, to prepare and issue to the Auditor General certificates or requisitions for the payment of workmen's compensation to injured employes of the Commonwealth.

Section 2209. Rehabilitation.—The Department of Labor and Industry shall have the power:

(a) To render aid to persons injured in industrial pursuits, to arrange for medical treatment for such persons, and procure artificial limbs and appliances to enable them to engage in remunerative occupations;

(b) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth;

(c) To cooperate with the Department of Public Instruction in arranging for training courses in the public schools, or other educational institutions, for persons injured in industrial pursuits, and to arrange for such courses in industrial or agricultural establishments;

(d) To such extent as the department shall have funds available for the purpose, to provide maintenance for such injured persons during such training in such amounts as may be provided by law.

Section 2210. Employment and Unemployment.—The Department of Labor and Industry shall have the power:

(a) To endeavor to bring together employers seeking employes and applicants for employment;

(b) To supervise all public and private employment agencies:

(c) To report on the extent of unemployment, the remedy therefor, and the means for the prevention thereof;

(d) To establish employment offices or labor exchanges at convenient places throughout the Commonwealth;

(e) To promote the intelligent distribution of labor and, when necessary, to assist in securing transportation for employes desiring to go to places where work is available.

Section 2211. State Workmen's Insurance Board.—Subject to any inconsistent provisions in this act contained, the State Workmen's Insurance Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board.

Section 2212. Workmen's Compensation Board.—Subject to any inconsistent provisions in this act contained, the Workmen's Compensation Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board.

Section 2213. Workmen's Compensation Referees.—Subject to any inconsistent provisions in this act contained, each Workmen's Compensation Referee shall have the power, and his duty shall be, to hear such claims for compensation as shall be assigned to him by the Workmen's Compensation Board, and to perform such other duties as shall be required of him by the Workmen's Compensation Board, or imposed upon him by law.

Section 2214. Industrial Board.—The Industrial Board created by this act shall have the power, and its duty shall be:

(a) To meet at least once each month for the purpose of considering such matters as are brought before it, or the Secretary of Labor and Industry shall request;

(b) To hold hearings with reference to the application by the department of the laws affecting labor, upon appeal either of employes or employers or of the public and, after such hearings, to make recommendations to the department;

(c) To approve or disapprove the rules and regulations established by the Department of Labor and Industry, and to make suggestions to the department for the formulation of such rules and regulations;

(d) To consider, study, and investigate the conduct of the work of the Department of Labor and Industry. For this purpose, the board shall have access at any time to all books, papers, documents, and records pertaining to or belonging to the department, and may require oral or written information from any officer or employe thereof.

ARTICLE XXIII

POWERS AND DUTIES OF THE DEPARTMENT OF WELFARE AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 2301. Powers and Duties in General.—The Department of Welfare shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, the Secretary of

Welfare, and the former Department of Public Welfare, and Commissioner of Public Welfare.

Section 2302. Definitions.—As used in this article,

(a) "State Institutions" shall mean and include all penal, reformatory or correctional institutions, hospitals for the insane, or any other institutions for feeble-minded or epileptic persons, or for juvenile delinquents and dependents, and charitable institutions, within this Commonwealth, maintained in whole by the Commonwealth, and whose boards of trustees are departmental administrative boards within the Department of Welfare;

(b) "Children's Institutions" shall mean any incorporated or unincorporated organization, society, corporation or agency, public or private, which may receive or care for children, or place them in foster family homes, either at board, wages or free; or any individual who, for hire, gain or reward, receives for care a child, unless he is related to such child by blood or marriage within the second degree; or any individual, not in the regular employ of the court or of an organization, society, association or agency, duly certified by the department, who in any manner becomes a party to the placing of children in foster homes, unless he is related to such children by blood or marriage within the second degree or is the duly appointed guardian thereof;

(c) "Maternity Home and Hospital" shall mean any house, home or place in which, within a period of six months, any person receives for care or treatment during pregnancy, or during or immediately after parturition, more than one woman, except women related to such person by blood or marriage within the second degree;

(d) "Supervised Institution" shall mean any charitable institution within the Commonwealth which receives financial assistance from the Commonwealth, either directly or indirectly, and to which the Governor does not appoint any member of the board of inspectors, managers, trustees or directors; all houses or places within the Commonwealth in which any person of unsound mind is detained, whenever the occupant or owner of the house, or person having charge of such person of unsound mind, receives any compensation for custody, control or attendance, other than as an attendant or nurse; and also all institutions, houses or places, in which more than one such person is detained, with or without compensation paid for custody or attendance; all children's institutions and maternity homes and hospitals within the Commonwealth; all homes or hospitals for crippled children within the Commonwealth, except the State Hospital for Crippled Children; all prisons, jails, hospitals, almshouses, or poorhouses, maintained by any county, city borough, township or poor district of this Commonwealth; and all institutions, associations and societies within this Commonwealth into whose care the custody of delinquent dependent or neglected children may be committed, and all houses and places maintained by such institutions, associations or societies in which such children may be kept or detained.

Section 2303. Supervisory Powers.—The Department of Welfare shall have supervision over:

(a) All State institutions.

(b) All supervised institutions as defined in this article,

- (c) All children's institutions within this Commonwealth,
- (d) All maternity homes and hospitals within this Commonwealth,
- (e) The administration of any system provided by the Commonwealth for assistance to mothers,
- (f) Any labor or system of labor carried on in the penal, correctional or reformatory institutions of the State,
- (g) Any system of reparation provided by the Commonwealth for relief from conditions caused by mine-caves, fire, flood or other casualty, and constituting a menace to public safety and welfare,
- (h) *All boarding homes for children which have been licensed by the State.* (Amended June 1, 1931, P. L. 350.)

Section 2304. Visitations and Inspections.—The Department of Welfare shall have the power, and its duty shall be:

(a) To make and enforce rules and regulations for the visitation, examination and inspection of all supervised institutions;

(b) To visit and inspect, at least once in each year, all State and supervised institutions; to inquire and examine into their methods of instruction, discipline, detention, imprisonment, care or treatment, the care, treatment, government or management of their inmates or those committed thereto, or being imprisoned, detained, treated or residing therein, the official conduct of their inspectors, trustees, managers, directors or other officer or officers charged with their management by law or otherwise, or having the management, care, custody or control thereof, the buildings, grounds, premises, and equipment thereof, or connected therewith, and all and every matter and thing relating to their usefulness, administration, and management, and to the welfare of the inmates thereof, or those committed thereto or being imprisoned, detained, treated or residing therein;

For these purposes, the Secretary of Welfare, or other officer, inspector or agent of the department, shall have free and full access to the grounds, premises, and buildings, of and to all the records, books or papers of or relating to any such State or supervised institution, and full opportunity to interrogate or interview any inmate thereof, or any person or persons committed to or being imprisoned, detained, treated or residing therein, and all persons connected with any such State or supervised institution as officers, or charged with the management, thereof, by law or otherwise, or in any way having the care, custody, control, or management thereof, or connected therewith as employees, are hereby directed and required to give to the Secretary of Welfare, or to such officer, inspector or agent of the department, such means, facilities, and opportunity for such visitation, examination, inquiry, and interrogation, as is hereby provided and required, or as the department, by its duly ordained rules or regulations, may require.

(c) Whenever upon the visitation, examination, and inspection of any State or supervised institution, any condition is found to exist therein which, in the opinion of the department, is unlawful, unhygienic, or detrimental to the proper maintenance and discipline of such State or supervised institution, or to the proper maintenance, custody, and welfare of the inmates thereof, or of the persons committed thereto, or being treated, detained or residing therein, to direct

the officer or officers charged by law with or in any way having or exercising the control, government, or management of such State or supervised institution, to correct the said objectionable condition in the manner and within the time specified by the department;

(d) To cause to be visited and examined any person found by an inquisition to be insane, and to authorize such visiting and examining by an officer or agent of the department, or any board of visitors, or by a physician, and to apply to the court having jurisdiction over the committee or guardian of such insane person, or to a judge of a court of common pleas of the county in which the insane person is a resident or detained, to make such orders for the maintenance, custody, or care of the insane person, and for the care and disposition of the property of the insane person, as the case may require.

Section 2305. Appointment of Visitorial Bodies.—The Department of Welfare shall have the power to appoint a board of three or more members in any county of the Commonwealth, to act without compensation, as a board of visitors, to visit any supervised institution in such county in aid of and as the representative of the department, such board to make a report of such visitation as the department may require. It shall be the duty of the officers or other persons having charge of such supervised institution to afford full facilities for such board to make an examination and inspection thereof.

Section 2306. Promotion of County Welfare Organizations.—The Department of Welfare shall have the power to promote the organization of county councils of social agencies, and county welfare boards, the purpose of which shall be to coordinate the social welfare activities of the counties.

Section 2307. Recommendations.—The Department of Welfare shall have the power, and its duty shall be, from time to time, to recommend and bring to the attention of the officers or other persons having the management of the State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein.

Section 2308. Rules and Regulations.—The Department of Welfare shall have the power to make and enforce rules and regulations as follows:

(a) Providing for the licensing of all houses or places in which any person can be lawfully detained as an insane person, or a person of unsound mind, upon compensation paid to or received by the owner or occupant of such house or place, directly or indirectly, for the care of such insane person or person of unsound mind, and also of all houses, places or institutions, in which more than one insane person or person of unsound mind is detained or resides, other than a jail or prison, with the right to exempt any State institution, institution under municipal authority, or any other institution;

(b) To insure the proper care and treatment of persons of unsound mind, detained in any house, place or institution, whether licensed or not; to guard against the improper or unnecessary detention of such persons; to regulate the manner of their detention and the

restraints imposed and all matters relative to their welfare; to regulate their means of communication with relatives, friends, and other persons outside the house, place, or institution of detention; and to insure to them the admission of all proper visitors, being members of their families or personal agents or attorneys;

(c) Regulating the forms to be observed warranting the commitment, transfer of custody, and discharge, of all insane persons, other than those committed by order of a court of record, and as to these, with the consent of the presiding judge of the court under whose order the person is detained;

(d) For the approval of psychopathic wards maintained by hospitals for the reception and care of persons suffering with mental disorders.

Section 2309. Transfer, Parole or Discharge of Patients.—The Department of Welfare shall have the power:

(a) To apply to the proper court for the transfer or removal of insane persons from county or district poorhouses, almshouses, hospitals, or in the custody of the directors or overseers of the poor, to the State hospitals for the insane;

(b) To transfer the indigent insane from State hospitals for the insane to the almshouses, poorhouses or prisons of the several counties charged with their maintenance;

(c) To transfer patients or inmates from one State hospital for the insane to another such hospital;

(d) To transfer a committed insane person from a licensed private hospital or institution to a State or licensed county hospital, and vice versa;

(e) To apply to the proper court for the removal to a hospital for the insane of any person imprisoned in a penitentiary or prison and believed to be insane;

(f) To transfer a committed inmate from one type of institution under the supervision of the department to another type of institution under its supervision;

(g) To investigate, and be heard, before an order is made in any case to remove to any place of custody, other than a hospital, any criminal confined in a hospital by order of any court, or any lunatic committed to a hospital after an acquittal of crime.

The cost of the transfer or removal, and of the maintenance, of any insane person, transferred by or under the direction, or upon the application of the Secretary of Welfare, or other officer of the department pursuant hereto, shall be borne and paid in the manner provided by law in the case of any such transfer or removal.

All traveling expenses of indigent insane persons discharged by order of the department from any State hospital for the insane, from the hospital to their respective homes, shall be paid by the hospital, the amount thereof to be refunded to such hospital from the appropriation for the care and relief of such indigent insane then current.

(h) To order and compel the parole or discharge of any person detained in any place as insane or of unsound mind, other than a person committed after trial and conviction for crime, or by order of court, but the department shall not make any such order, unless notice

be given to the person having charge of the building in which, and to the person or persons at whose instance, the patient is detained, and reasonable opportunity given them to justify a further detention, and the department has caused the case of the patient to be personally attended and examined by its officer or agent. (Amended June 1, 1931, P. L. 350.)

Section 2310. Child Welfare.—The Department of Welfare shall have the power, and its duty shall be:

(a) To investigate the residence of a child placed in Pennsylvania from unlicensed sources in another State, to return such child to the State of its legal residence, and to enter into appropriate contracts with such State relative thereto;

(b) To exercise any other powers and perform any other duties with regard to the bringing into this Commonwealth dependent, delinquent, or defective children, which may now or hereafter be authorized or imposed by law upon the department;

(c) To make and enforce such rules and regulations for the effective enforcement of this section as shall be deemed advisable and appropriate.

Section 2311. Restoration.—The Department of Welfare shall have the power, and its duty shall be:

(a) To require and supervise the transfer of inmates of one penitentiary to another under any law providing therefor;

(b) To request, from any or all magistrates, chiefs of police, sheriffs, district attorneys, courts, judges, probation officers, and all others concerned in the control, apprehension, trial, and punishment of criminals and delinquents in this Commonwealth, periodical reports as to the number and kind of crimes reported, the numbers, age, sex, color, nativity, and offenses of criminals and delinquents arrested, tried, and otherwise disposed of, the sentences imposed, and whether executed or suspended, the number placed on probation, and the reasons therefor, the number of probation officers, and the nature of the oversight exercised over those placed on probation, and, for the purpose of verifying the reports so made, the department shall have the power to make such further inquiry or investigation as may seem to it necessary, and it shall be the duty of all such magistrates, and other officers, to make such reports, at such time or times, and to furnish such facilities for investigation and such cooperation, as the department may require.

Section 2312. Inmate Labor.—The Department of Welfare shall have the power, and its duty shall be:

(a) To establish, maintain, and carry on industries in the Eastern State Penitentiary, the Western State Penitentiary, the Rockview Penitentiary, the new Eastern State Penitentiary at Graterford, the Pennsylvania Industrial Reformatory at Huntingdon, and such other penal or correctional institutions of this Commonwealth as it may deem proper, in which industries all persons sentenced to such institutions, who are physically capable of such labor, may be employed at labor for not to exceed eight hours each day, other than Sundays and public holidays. Such labor shall be for the purpose of doing printing, or of manufacturing and producing supplies or for the preparation and manufacture of building material for the construction or repair of

any State institution, or in the work of such construction or repair, or for the planting of seed trees, or the performance of other work in State forests, or for the purpose of industrial training, or instruction, or in the manufacture and production of crushed stone, brick, tile and culvert pipe, or other material suitable for draining roads of the State, or in preparation of road building and ballasting material;

(b) To determine the amount, kind, and character of the machinery to be erected in each of the said penitentiaries, reformatory or other penal or correctional institutions of the Commonwealth, and the industries to be carried on therein, having due regard to the location and convenience thereof with respect to other institutions to be supplied, to the machinery therein and the number and character of inmates;

(c) To contract to sell or sell the articles manufactured or produced in the said industries carried on in the said penitentiaries, reformatory, or other penal or correctional institutions, which cannot be used therein, to the Commonwealth, or to any county, city, borough, township, school district, or poor district thereof, or to any State institution, or to any educational or charitable institution receiving aid from the Commonwealth, or to the Government of the United States, or any department, bureau, commission or agency thereof, or to any other State or political subdivision thereof, or to any institution receiving aid from the Government of the United States or of any other State;

(d) To arrange for the employment of inmates of such institutions, at such work or labor, within or upon the grounds of such institutions, as may be necessary for the maintenance of the institutions or the raising of food products therefor;

(e) To charge to each such institution such rate per diem, as may be paid by the department to such inmate hereunder for his services, for the work or labor of each inmate engaged in work or labor within or upon the grounds of such institution for the maintenance of the institution or the raising of food products therefor.

Also to collect from each such institution, for any manufactured supplies or products used by it, the same price per article used as it would receive upon the sale of such article in similar quantities to the Commonwealth, or any other agency to which it is authorized to sell articles manufactured or produced by inmate labor. All amounts collected by the Department of Welfare from such institutions hereunder shall be paid, through the Department of Revenue, into the Manufacturing Fund in the State Treasury, and all such amounts shall be considered a part of such institutions' maintenance expense.

(f) To charge to each such institution, in like manner, for the labor of all inmates engaged in preparing materials for the construction of buildings, or in doing construction work, such payments to be made by the institutions out of funds available for construction work. All moneys received hereunder shall be paid into the Manufacturing Fund, through the Department of Revenue.

(g) Through the Department of Revenue, to pay into the Manufacturing Fund the proceeds of all sales of manufactured products made under this section, and all moneys received for the labor of inmates in State forests or elsewhere than on the grounds of the in-

stitutions. This clause shall not, however, apply to the sale of surplus food products, or products of the soil as elsewhere in this act permitted.

(h) To pay, out of the Manufacturing Fund, for the machinery, equipment, and material required or used in the carrying on of the industries in the said penitentiaries, reformatory, or other institutions, under the provisions hereof, and all salaries of superintendents, managers, salesmen, clerks, and others employed in the management of the industries, and the wages, as hereinafter provided, for the labor of the inmates of said penitentiaries, reformatory, or other institutions in such industries;

(i) To require that an account shall be kept by the proper officers of each said penitentiary, reformatory, and other correctional institution, of the labor performed by inmates. In such account, shall be shown the time each inmate is actually engaged in work, the rate of wage at which he is to be paid, which shall be regulated by the department. In no case shall the amount be less than ten cents for each day of labor actually performed. The rate of compensation shall be based, both upon the pecuniary value of the work performed, and also on the willingness, industry, and good conduct of the inmate. All amounts payable to inmates hereunder shall be paid to the institution out of the Manufacturing Fund, to be disbursed or held by such institution in the manner following:

Three-fourths of the amount of wages payable to an inmate of such penitentiary, reformatory, or other institution, or the entire amount, if the inmate so wishes, shall constitute a fund for the relief of any person or persons dependent upon such inmate, and shall be paid, upon the order of the board of trustees of the penitentiary, reformatory, or other institution, in which the inmate is a prisoner, to the person or persons establishing such dependency to the satisfaction of such board, at such time or times as said board may order.

All sums credited to any inmate, and not paid to a dependent or dependents, shall be paid to the inmate on his discharge from the penitentiary, reformatory, or other institution in which he was a prisoner: Provided, however, That, subject to the rules and regulations of the board of trustees of the penitentiary, reformatory, or other institution in which such inmate is a prisoner, the whole or any part of said sum may be paid to him during his imprisonment for his present needs, such rules and regulations to be subject to the approval of the department.

(j) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries;

(k) To the extent to which it is unable to provide work for every physically able inmate of such institutions, to authorize the several boards of trustees of such institutions to permit inmates to engage in such work or industries as the Department may approve, and which they are able to provide from other sources, but all such work shall be performed, the products thereof sold, and the proceeds thereof disposed of, under the rules and regulations of the department covering the same;

(l) To supervise the establishment, in other State institutions, of industries classes in occupational therapy and other means for the employment and training of inmates or patients.

Section 2313. Mental Health.—The Department of Welfare shall have the power, and its duty shall be:

To administer and enforce the laws of this Commonwealth relative to the prevention of mental diseases, mental defects, epilepsy, and inebriety, the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy, and the transfer, discharge, escape, interstate rendition, and deportation of mental patients.

Section 2314. Approval of Plans and Mortgages.—The Department of Welfare shall have the power, and its duty shall be:

(a) To approve or disapprove all plans for the erection or substantial alteration of any State or supervised institution receiving aid from the Commonwealth;

(b) To investigate, and report to the Auditor General, upon every application to the Auditor General made by any institution, corporation, or unincorporated association, desiring to give a mortgage under the provisions of the act approved the twenty-ninth day of April, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws, two hundred and one), entitled "An act making mortgages given by benevolent, charitable, philanthropic, educational, and eleemosynary institutions, corporations, or unincorporated associations, for permanent improvement and refunding purposes, prior liens to the liens of the Commonwealth for the appropriation of moneys; providing a method for the giving of such mortgages, and fixing the duties of the Auditor General and Board of Public Charities in connection therewith."

Section 2315. State Institutions.—With regard to State institutions, the department shall have the power, and its duty shall be:

(a) To determine the capacity of such institutions;

(b) To determine and designate the type of persons to be received by such institutions, the proportion of each type to be received therein, and the districts from which persons shall be received by such institutions;

(c) To issue requisitions upon the Auditor General for warrants, to be drawn by the Auditor General upon the State Treasurer, in favor of such institutions, for the payment, out of moneys specifically appropriated to the department for the purpose of the expenses of administering, operating, maintaining, and developing such State institutions;

(d) To require the submission to the department of any contract for repairs, alterations or equipment, which any such State institution desires to make, and to approve or disapprove such proposed contract. No such contract shall be valid, without the approval of the department as evidenced by the signature of the Secretary of Welfare.

Section 2316. Care of the Indigent.—The Department of Welfare shall have the power, and its duty shall be:

(a) Whenever the General Assembly shall have specifically appropriated money to the department for the purpose, to issue requisitions upon the Auditor General for warrants, to be drawn by the

Auditor General upon the State Treasurer, in favor of such hospitals, homes, and institutions as shall conform to at least the minimum standards of plant, equipment, service, administration, and care and treatment necessary for the proper care and treatment of patients or inmates, as required by the rules and regulations of the department, or established by law, in amounts computed upon the per diem rates of payment established by law for free service to indigent persons as follows:

1. The care and treatment of sick or injured persons in hospitals,
2. The care of dependent, delinquent, and defective children in homes or institutions,
3. The care of dependent adults in homes or institutions,
4. The care, and treatment of crippled children in homes or hospitals,
5. The care, treatment and removal of insane persons in county hospitals for the insane or private institutions licensed by the department,
6. The removal of nonresident dependent children,
7. The placement of dependent children through child-caring agencies,

(b) To approve requisitions issued by hospitals, homes, or institutions, to which the General Assembly shall have appropriated money for the care and treatment of indigent persons, if such hospitals, homes or institutions shall conform to at least the minimum standards of plant, equipment, service, administration, and care and treatment necessary for the proper care and treatment of patients or inmates, as required by the rules and regulations of the department, or established by law, and, if such requisitions are in the amounts to which such hospitals, homes or institutions are entitled according to law;

(c) To establish rules and regulations, not inconsistent with law, prescribing minimum standards of plant, equipment, service, administration, and care and treatment for State-aided institutions, and for determining the number of free days of care and treatment rendered to indigent persons by hospitals, homes, or institutions.

Section 2317. State Welfare Commission.—The State Welfare Commission shall have the power, and its duty shall be:

(a) To advise the Secretary of Welfare on such matters as the secretary may bring before it, or as the commission may require the secretary to bring before it;

(b) To have general supervision over the policies of the department;

(c) From time to time to approve or disapprove the rules and regulations of the department.

Section 2318. Boards of Trustees of State Institutions.—The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution. It shall have the power, and its duty shall be:

(a) Subject to the approval of the Governor, to elect a superintendent or warden of the institution, who shall, subject to the authority

of the board, administer the institution in all its departments, and, if the board shall deem it advisable, a business manager;

(b) On nomination by the superintendent or warden, from time to time, to appoint such officers and employes as may be necessary;

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board;

(d) Subject to the approval of the Secretary of Welfare, to make such by-laws, rules, and regulations for the management of the institution as it may deem wise.

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions:

Board of Trustees of Eastern State Penitentiary, of Eastern State Penitentiary at Philadelphia,

Board of Trustees of Western State Penitentiary, of Western State Penitentiary at Pittsburgh, and of the State Penitentiary at Rockview,

Board of Trustees of Pennsylvania Industrial School, of Pennsylvania Industrial Reformatory, *hereafter to be known as Pennsylvania Industrial School*, at Huntingdon,

Board of Trustees of State Industrial Home for Women, of State Industrial Home for Women at Muncy,

Board of Trustees of Pennsylvania Training School, of Pennsylvania Training School at Morgantown,

Board of Trustees of Allentown State Hospital, of Homeopathic State Hospital for the Insane at Allentown,

Board of Trustees of Danville State Hospital, of State Hospital for the Insane at Danville, Pennsylvania,

Board of Trustees of Farview State Hospital, of State Hospital for the Criminal Insane at Farview,

Board of Trustees of Harrisburg State Hospital, of Harrisburg State Hospital at Harrisburg,

Board of Trustees of Norristown State Hospital, of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown,

Board of Trustees of Warren State Hospital, of State Hospital for the Insane at Warren, Pennsylvania,

Board of Trustees of Wernersville State Hospital, of State Asylum for the Chronic Insane of Pennsylvania at South Mountain,

Board of Trustees of Torrance State Hospital, of Western State Hospital for the Insane, Torrance,

Board of Trustees of Ashland State Hospital, of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland,

Board of Trustees of Blossburg State Hospital, at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg,

Board of Trustees of Coaldale State Hospital, of State Hospital of Coaldale, Schuylkill County.

Board of Trustees of Connellsville State Hospital, of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville,

Board of Trustees of Hazleton State Hospital, of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton,

Board of Trustees of Nanticoke State Hospital, of State Hospital of Luzerne County at Nanticoke,

Board of Trustees of Philipsburg State Hospital, of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg,

Board of Trustees of Scranton State Hospital, of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton,

Board of Trustees of Shamokin State Hospital, of State Hospital of the Trevorton, Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin,

Board of Trustees of Locust Mountain State Hospital, of Locust Mountain State Hospital at Shenandoah,

Board of Trustees of Laurelton State Village, of Pennsylvania Village for Feeble-Minded Women at Laurelton,

Board of Trustees of Pennhurst State School, of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst,

Board of Trustees of Polk State School, of State Institution for the Feeble-Minded of Western Pennsylvania at Polk,

Board of Trustees of Selinsgrove State Colony for Epileptics, of the State Colony for Epileptics at Selinsgrove. (Amended June 1, 1931, P. L. 350.)

Section 2319. Board of Trustees of Cumberland Valley State Institution for Mental Defectives.—The Board of Trustees of Cumberland Valley State Institution for Mental Defectives shall, when and as the Legislature shall appropriate money for the purpose, cooperative [cooperate] with the Department of Property and Supplies, as provided in this act, in the erection on the property at New Cumberland, Cumberland County, Pennsylvania, acquired by the Commission for the Selection of a Site and the Erection of a State Institution for Inebriates of a State institution for mental defectives.

Upon the completion of such institution, the board of trustees shall manage and control the same, as provided in the preceding section of this act: Provided, That the Superintendent of such institution shall always be a physician experienced in the treatment of mental diseases and mental defectives.

Section 2320. State Council for the Blind.—The State Council for the Blind shall have the power, and its duties shall be:

(a) To formulate a general policy and program for the prevention of blindness, and for the improvement of the condition of the blind in this Commonwealth. Such policy and program shall be modified from time to time as may be found necessary or advisable in the light of improvements in method and practice.

(b) To make recommendations, in accordance with such policy and practice, to the several executive and administrative departments, boards, and commissions of this Commonwealth, and to any public or private agencies therein which may be in any way concerned with work with or for the blind;

(c) To cooperate with State and local agencies, both public and private, in taking steps to prevent the loss of sight, in alleviating the condition of blind persons, and persons of impaired vision, in extending and improving the education, advisement, training, placement, and

conservation of the blind, and in promoting their personal, economic, social and civic well-being;

(d) To act as a means for communicating with other State agencies, public or private, and with national agencies, and to cooperate in efforts to procure an enactment of legislation regarding the prevention of blindness, the improvement of the blind, or the regulation of private agencies for the care of the blind;

(e) To collect, systematize, and transmit to the Department of Property and Supplies for publication and distribution to other agencies, information in regard to blind persons and persons of impaired vision in this Commonwealth, including their present physical and mental condition, the causes of blindness, and the possibilities of improvement of vision, their financial status and earning capacity, their capacity for education and vocational training, and any other relevant information looking toward the improvement of their condition;

(f) To refer cases of blind persons, or problems in relation to the blind, or prevention of blindness, to such agencies, public or private, as may be likely to deal most successfully with them;

(g) To encourage the cooperation of all agencies, public and private, doing work for the blind in this Commonwealth, and of the agencies whose work is related to the prevention of blindness;

(h) To supervise the expenditures of State appropriations made to such agencies, except in cases in which such supervision is by law within the powers or duties of some other administrative department, board, or commission.

Section 2321. Pennsylvania Alcohol Permit Board.—Subject to any inconsistent provisions in this act contained, the Pennsylvania Alcohol Permit Board shall continue to exercise the powers and perform the duties vested in and imposed upon the said board by the act approved the nineteenth day of February, one thousand nine hundred and twenty-six (Pamphlet Laws, sixteen), entitled “A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled ‘An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws, and alcoholic liquor license laws,’ providing for the registering of Federal permits; also regulating, under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, re-distillation, recovery, reuse, holding in bond, holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol, or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances, and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act,” its amendments and supplements. (See note to Section 445 above.)

ARTICLE XXIV

POWERS AND DUTIES OF THE DEPARTMENT OF PROPERTY AND SUPPLIES AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 2401. Powers and Duties Transferred.—Subject to any inconsistent provisions in this act contained, the Department of Property and Supplies shall exercise the powers and perform the duties exercised and performed prior to the fifteenth day of June, one thousand nine hundred and twenty-three, by the Board of Commissioners of Public Grounds and Buildings, the Superintendent of Public Grounds and Buildings, the Bureau of Information, the Department of Public Printing and Binding, the Division of Documents, the Superintendent of Public Printing and Binding, the Director of Publications, the Gettysburg Battlefield Memorial Commission, the General George Gordon Meade Statue Commission, the Robert Morris Monument Commission, the General Galusha Pennypacker Monument Commission, and the Camp Curtin Park Commission, as hereinafter in this article provided, and any powers and duties subsequently vested in and imposed upon the Department of Property and Supplies by law.

Section 2402. Grounds, Buildings and Monuments in General.—The Department of Property and Supplies shall have the power, and its duty shall be:

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings, to control and supervise the State Capitol Building, and the public grounds and buildings connected with the State Capitol, including the State Arsenal and the Executive Mansion, and to make, or supervise the making, of all repairs, alterations, and improvements, in and about such grounds and buildings, including the furnishing and refurnishing of the same, and also to have general supervision over repairs, alterations, and improvements to all other buildings, lands, and property of the State, except as in this act otherwise provided;

(b) To employ such *captains*, sergeants of police, and police officers, as may be necessary to preserve good order in the Capitol grounds and buildings, and fix their compensation: Provided, however, That the number and compensation of such *captains*, sergeants and officers shall be subject to the approval of the Governor. Such *captains*, sergeants and officers shall be known as the Capitol Police.

(c) To employ such help as may be reasonably necessary for the cleaning, care, and preservation of the Capitol grounds and buildings, and the furnishings therein, for operating the mechanical plants in the Capitol buildings and the Executive Mansion, and for service at the Executive Mansion;

(d) To contract in writing for and rent proper and adequate offices, rooms, or *other* accommodations, outside of the Capitol buildings, for any department, board, or commission, which cannot be properly and adequately accommodated with offices, rooms, and accommodations in the Capitol buildings; and, in all cases in which the head of a department, for such department or for a departmental administrative board or commission within such department, or an independent administrative board or commission, with the approval of the Executive Board, has established or is about to establish a branch

office in any city or place outside of the capital city, with the approval of the Board of Commissioners of Public Grounds and Buildings, to contract in writing for and rent such offices, rooms, and *other accommodations*, as shall be proper and adequate for such department, board, or commission. *The department shall rent such garages or contract for such garage space as may be necessary for the accommodation of State-owned automobiles, either in or outside of the capital city, at such rentals or rates as it shall deem reasonable.* The department may also, if the General Assembly shall have appropriated funds therefor, lease any lands which may be necessary for use by any department, board, or commission in the exercise of its powers or the performance of its duties. It shall be unlawful for any other department, board, commission, or agency of the State Government to enter into any leases but the Department of Property and Supplies shall act only as agent in executing leases for departments, boards, and commissions, the expenses of which are paid wholly or mainly out of special funds, and, in such cases the rentals shall be paid out of such special funds.

(e) To employ and, with the approval of the Governor, fix the compensation of such capable superintendents of construction, *engineers*, or inspectors as may be necessary properly to supervise building, repairing, altering, adding to, or improving State buildings, in cases in which the work is not being done directly by or under contract with the Department of Property and Supplies. Such superintendents, *engineers*, or inspectors shall see that the plans and specifications prepared and adopted for such new buildings or for repairs, alterations, additions, or improvements to existing buildings, shall be faithfully carried out, and shall subject to appeal to and final decision by the head of the department, define, determine, and decide all questions of the proper interpretation of the plans and specifications which may be raised during the progress of the work.

(f) Out of funds appropriated to the department therefor, to purchase or condemn land, with or without buildings thereon, for the purpose of adding the same to any of the public lands or parks, or for use as sites for or in connection with arsenals, armories, military reservations, intermediate landing fields, hospitals, normal schools, teachers' colleges, penal or correctional institutions, or other institutions of the Commonwealth, whenever, in the judgment of the Governor, the purchase or condemnation of such land is necessary, or whenever such purchase or condemnation shall have been authorized by law, and an appropriation shall have been made therefor. The condemnation of land hereunder shall be in the manner provided by the act, approved the fifteenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred seventy-six), entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain, where the purchase of such property has either been authorized by law, or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws, and an appropriation made therefor," its amendments and supplements. Except as otherwise in this act expressly provided, no other department, board, or commission of the State Government shall hereafter exercise the right of eminent domain for any of the purposes afore-

said, any other act of Assembly heretofore enacted to the contrary notwithstanding.

(g) To erect or supervise the erection of all monuments which may now or hereafter be authorized by law, and to maintain and care for all monuments belonging to the Commonwealth which may now or hereafter be erected: Provided, That with regard to any monument which comes within the jurisdiction of an advisory board in the Department of Property and Supplies, the exercise of the powers hereby vested in the department shall be subject to approval or disapproval by such advisory board;

(h) Whenever loss or damage by fire or other casualty shall occur to any structure, building, equipment, or other property owned by the Commonwealth, and be reported to the department, to make an examination thereof, and, in its discretion, subject only to the approval of the Governor, to rebuild, restore, or replace the property damaged or destroyed, and, for that purpose, to have plans and specifications prepared and contracts executed, and to supervise the erection, construction, or replacement thereof, such rebuilding, restoration, or replacement to be in substantial accord with the original character, use, and purpose of the property damaged or destroyed. The cost of the materials furnished, and work and labor performed, under such contracts, shall be certified by the department to the Auditor General, who shall issue his warrant against the Insurance Fund of this Commonwealth, which warrant shall be paid by the State Treasurer, in the manner provided by law: Provided, That whenever the department shall have taken such action as will involve expenditures from said fund, it shall forthwith certify the probable amount of expenditure to the State Treasurer, who shall forthwith take such action as is necessary to provide funds sufficient to meet the obligations so entered into.

(i) To rent to individuals, firms, or corporations, such real estate, owned by the Commonwealth, as is not being used in connection with the work of any department, board, or commission thereof, upon such terms and conditions as the Secretary of Property and Supplies may prescribe, with the approval of the Governor in writing: Provided, however, That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year.

(j) *From time to time, to rent to persons, associations, or corporations, upon such terms as shall be approved by the Board of Commissioners of Public Grounds and Buildings, the auditorium in the South Office Building, Number Two, when it shall not be required for the Commonwealth's use. (Amended June 1, 1931, P. L. 350.)*

Section 2403. Standards and Purchases.—The Department of Property and Supplies shall have the power, and its duty shall be:

(a) To formulate and establish *standards* or specifications, *whenever practicable*, for articles, materials, supplies, *furnishings*, and *equipment* used by administrative departments, independent administrative, departmental administrative, and advisory boards and commissions, but no specification shall be fixed as a standard until it shall be approved by a majority of the departments, boards and commissions using the article, material or supply described in the specification.

(b) To enter into contracts for supplying all stationery, printing paper, and fuel, used in the legislative and other departments of the Government, and for repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees. All such contracts shall be awarded to the lowest responsible bidder below such maximum price, and under such regulations as are prescribed by this act, and shall be subject to the approval of the Governor, the Auditor General, and the State Treasurer.

(c) To purchase, in like manner, all other furniture, materials, or supplies, required by the legislative and other departments of the State Government, except as otherwise provided in this act;

(d) To distribute stationery, paper, and fuel to the legislative and other departments of the government, and arrange for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees, upon requisition of the Governor, or of the appropriate administrative department or independent administrative board or commission, or the proper officer of the General Assembly, or of the judicial department, as the case may be: Provided, That all requisitions for furniture, materials, or supplies, required by any departmental administrative board, commission or officer, or any advisory board or commission, shall be made by the administrative department with which such departmental administrative board, commission or officer or such advisory board or commission is connected: And provided further, That the department shall not, without the consent of the Governor, honor any requisition from any administrative department, board or commission after the amount of any biennial appropriation for furniture, stationery, materials, and supplies allocated to such department, board, or commission by the Governor, shall have been expended for such department, board, or commission;

(e) To act as the purchasing agency for any administrative department, or independent administrative or departmental administrative board or commission, which by law is authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by it, or out of moneys specifically appropriated to it by the General Assembly, except that all departments, boards, and commissions, requiring perishable food-stuffs or fuel for use in State institutions may purchase such food-stuffs and fuel directly, and any department, board, or commission, having charge of a State institution, which is able, after competitive bidding, to purchase any article for a less price, f. o. b. the institution, than the price at which such article can be furnished by the Department of Property and Supplies, f. o. b. the institution, may purchase such article directly. All purchases made by the Department of Property and Supplies, as purchasing agency under this clause, shall conform to schedule, unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from schedule, and all purchases made directly for any State institution shall conform to the specification contained in the schedules, or, if the article be not included in the schedules, then to the standard specification, if any, adopted by the Department of Property and Supplies for the commodity purchased, unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification.

(f) To collect, and furnish on request, market prices and such other information as will be serviceable in purchasing to any institution receiving State funds directly or indirectly;

(g) To authorize any other department, or any board or commission, to make direct purchases in the field, not exceeding a specified amount, but the department shall require records of all such purchases to be transmitted to it periodically in such form as it may prescribe. (Amended June 1, 1931, P. L. 350.)

Section 2404. Bonds and Liability Insurance.—The Department of Property and Supplies shall have the power, and its duty shall be:

(a) To procure from a corporation or corporations, authorized by law to act as sureties in the Commonwealth of Pennsylvania, good and sufficient bonds, which shall be approved by the Attorney General, and filed with the State Treasurer, to meet the requirements of law, in the case of all State officers and employes required by statute to give surety bonds to the Commonwealth for the faithful performance of their official duties or to account for State funds in their possession;

(b) To procure liability insurance covering vehicles owned by the Commonwealth, and operated by State officers or employes, *and in its discretion, excess fire insurance on State buildings, and any other kind of insurance which it may be lawful for the Commonwealth, or any department, board, commission, or officer thereof, to carry and for which an appropriation has been made to the department.*

The department shall pay for such insurance, out of the moneys appropriated to it, except that it shall not pay for insurance covering officers, employes, *or property* of the departments, boards, and commissions, whose expenses are wholly paid out of funds other than the General Fund of the State Treasury, and except officers, employes, *and property* of State institutions. Insurance covering the officers, employes, *and property* of such departments, boards, and commissions shall be paid for out of the special funds appropriated to them, and insurance covering the officers, employes *and property* of State institutions shall be paid for out of the moneys appropriated for their maintenance.

All *automobile liability* insurance procured by the Department of Property and Supplies hereunder shall protect both the Commonwealth and the State officer or employe operating the vehicle, against claims for damages for injury to person or property, within such limits as the department, with the approval of the Executive Board, shall prescribe. (Amended June 1, 1931, P. L. 350.)

Section 2405. Sale of Unserviceable Property.—The Department of Property and Supplies shall have the power, and its duty shall be, to receive from the several administrative departments, and independent administrative and departmental administrative boards and commissions, unserviceable personal property of this Commonwealth, to issue a receipt therefor, make a complete record thereof, and, *if no other department, board or commission is able to make use of the same presently, then*, as soon as convenient, *to* sell the same, either at public auction or private sale, in the city of Harrisburg, or elsewhere, as may be deemed advisable. *Except* in the case of perishable property, such sales shall be advertised in not exceeding five news-

papers of the Commonwealth, once a week for three weeks, such advertisements to state the time, place, and conditions of any such sale; but, if, after such advertising, the department is unable to obtain a bid for the property, it may be demolished or destroyed: Provided, That when the unserviceable property is located at a State institution, the department, in its discretion, may authorize such institution, without advertising, to obtain at least two bids in the locality where the property is located. Such bids shall be referred to the department, and, if it believes that the property will not realize a higher net sale price if transported to the Capitol for sale, the department may authorize the institution to sell the property locally to the highest bidder, to take a proper receipt therefor, and to transmit the proceeds to the department, to be by it paid into the State Treasury through the Department of Revenue: And provided further, That whenever any department, board, or commission shall deliver to the Department of Property and Supplies any unserviceable personal property, and, at the same time, requisition the said department to furnish new property of a similar character to replace the unserviceable property delivered as aforesaid, or request said department, as purchasing agency, to purchase new property of a similar character, the Department of Property and Supplies, with the approval of the Board of Commissioners of Public Grounds and Buildings, shall endeavor to exchange the unserviceable property for or on account of the purchase price of the new property about to be purchased, but such unserviceable property shall not be delivered for or on account of the purchase price of any property at a lower valuation than the price which such unserviceable property would bring if sold in the open market for cash, and, to the extent that advertising any such unserviceable property for sale may be necessary to establish its market value, the Department of Property and Supplies is authorized and directed to advertise as hereinabove provided. The Department of Property and Supplies shall obtain from the person, partnership, or corporation, to which any personal property is delivered in exchange under the authority of this section, a receipt therefor, describing such personal property and specifying the value at which it was taken in exchange, and such receipt shall be delivered to the Auditor General, attached to the requisition for the payment of the balance of the purchase price due for the new property purchased. The proceeds of sales of personal property hereunder, shall be transmitted by the Department of Property and Supplies to the Department of Revenue, which shall transmit it to the Treasury Department to be credited to the fund out of which the property sold was originally purchased. (Amended June 1, 1931, P. L. 350.)

Section 2406. Publications.—The Department of Property and Supplies shall have the power, and its duty shall be:

(a) To edit for publication all reports, bulletins, and other publications of the various departments, boards, and commissions of the State Government;

(b) With the approval of the President pro tempore of the Senate, and the Speaker of the House, to determine the size and character of the various publications to be printed for the use of the General Assembly: Provided, That the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act

or resolution: And provided, That the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the laws, bills, calendars, journals, Pamphlet Laws, department reports, and other publications, as is now authorized by law, which shall be distributed to the members and officers of the General Assembly only, on the requisition of the librarian of the Senate, and the resident clerk of the House of Representatives;

With the approval of the Governor, to determine the need, size, character, quantity, and method of distribution of the various publications to be printed for the use of or distribution by the several departments, boards, commissions, and other agencies engaged in the administrative work of the State Government: Provided, That in the case of reports made by the several departments, boards, or commissions, the department, board, or commission making the report shall be consulted with regard to the need, size, character, quantity, and method of distribution of such reports;

With the approval of the Governor, and of the chief Justice of the Supreme Court of Pennsylvania, to determine the size, character, quantity, and method of distribution of the various publications to be printed for the use of the judicial department.

Unless specifically authorized by act or resolution, no public printing and binding shall be ordered, performed, or furnished by the department for the General Assembly, or any department, board, commission, or other agency, of the State Government, until a requisition for said work or materials has been presented to the department, duly signed by the chief clerk, or librarian for the Senate, the chief clerk or resident clerk for the House of Representatives, or the head or the person or persons who may be given such authority by the head of the department, or the chief executive officer, or other authorized representative of the board, commission, or other agency of the State Government, making such requisition.

(c) To compile and edit a State Manual, which shall be published annually or biennially, under such name as the department and the Governor shall determine. The members and officers of the Senate and House of Representatives shall be given for distribution of said publication, not less than the number that they were heretofore given of Smull's Legislative Hand Book. The number to be published for the several State departments, boards, and commissions shall be fixed by the department, with the approval of the Governor. If in the judgment of the department, it is deemed advisable to publish copies of said manual in addition to those herein authorized, which can be sold at the cost of printing and binding, the department is authorized to publish such additional copies, and pay the amount realized from the sale of same to the State Treasurer, through the Department of Revenue.

(d) To enter into contracts for furnishing all printing used in the legislative and other departments of the government, and the printing, binding, and distributing of the laws, journals, department reports, and all other printing and binding, lithographing, cuts, plates, dies, and supplies and materials incident thereto, which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations as are prescribed by this act, and shall be sub-

ject to the approval of the Governor, Auditor General, and State Treasurer;

(e) To distribute all documents, upon requisition of the persons entitled to make requisition therefor, by causing the same to be packed in packages or boxes addressed as required in the requisition, and delivered personally at the office of the department, or free at the post office, express or freight office, indicated in the requisition: Provided, That the department shall not, without the consent of the Governor, honor any requisition from any administrative department, board, or commission, after the amount of any biennial appropriation for documents allocated to such department, board, or commission, shall have been expended for such department, board, or commission;

(f) To furnish blank requisition forms to all persons entitled to make requisitions upon the department for documents, stationery, furniture, or supplies of any character;

(g) From time to time, to solicit, by advertising proposals for the purchase of all waste paper, documents, and other materials that have been accumulated and are no longer needed, and the department is hereby authorized to make sale thereof, by contract or contracts, to the highest bidder, upon such terms and conditions as it shall determine, but the department shall have the right to reject any and all proposals for the sale. The proceeds of any such sale shall be paid into the General Fund in the State Treasury, through the Department of Revenue.

(h) To publish advance sheets of the Pamphlet Laws, and to transmit one copy thereof, by mail, to each department, board, and commission of the State Government, to each prothonotary, and to each law judge of the courts, and to every county and public library of this Commonwealth, and to each member of the General Assembly. Such copies shall be furnished without charge. The department shall also mail to any persons who shall pay to it the sum of five dollars, one copy of each such law enacted during any legislative session. All moneys received hereunder shall be paid into the General Fund in the State Treasury, through the Department of Revenue.

(i) To copyright, in the name of the Commonwealth, all publications of the Commonwealth, or of any department, board, or commission or officer thereof, including the State Reports, which under existing or future laws it shall be necessary to have copyrighted, and such other publications as the Secretary of Property and Supplies, with the approval of the Governor, shall deem it advisable to copyright;

(j) To distribute to the public, upon payment to the department of such sum per copy as shall cover the cost of publication, any documents published by the department for the Commonwealth, or any department, board, commission, or officer thereof, which shall cost more than five cents per copy to publish, except documents published for the Governor and the General Assembly which shall be distributed without charge as heretofore; To administer this subsection, the department may publish, for free distribution to applicants therefor, a price-list showing the publications which the department is prepared to furnish to the public and the charges for each such document. All moneys collected by the department hereunder shall be paid, through

the Department of Revenue, into the General Fund in the State Treasury, except that, if the cost of publishing any document sold by the department hereunder shall have been paid out of any special fund in the State Treasury, the proceeds of the sale thereof shall be paid into such special fund through the Department of Revenue.

Section 2407. Automobiles.—The Department of Property and Supplies shall, upon the effective date of this act, take over, and thereafter assume responsibility for, the maintenance and operation of all automobiles owned by the Commonwealth, or any administrative department, board, or commission thereof, except the Department of Highways.

After the effective date of this act, all automobiles required for use by the administrative departments, boards, commissions and officers of the State Government, shall be purchased by the Department of Property and Supplies, but, in purchasing automobiles required for the use of any department, board, or commission, having authority to purchase automobiles out of money appropriated to it, the Department of Property and Supplies shall act as purchasing agency.

The Department of Property and Supplies shall make or contract for the making of all repairs to automobiles owned by the Commonwealth, except those operated by the Department of Highways, unless in any case it shall specifically authorize any department, board, commission, or officer, to make or order the making of repairs to any specified automobiles, and, except emergency repairs necessarily made while any automobile is away from its garage.

The Department of Property and Supplies may assign to any department, board, or commission, such automobiles as may be required by it for full-time daily use, and such automobiles shall be operated by employes of such departments, boards, or commissions. The department shall maintain a sufficient number of automobiles, not assigned to departments, boards, or commissions, to meet the requirements of departments, boards, and commissions which do not require the full-time daily use of automobiles, and to meet extraordinary and occasional demands of all departments, boards, and commissions, other than the Department of Highways. Such automobiles, with chauffeurs, shall be furnished to departments, boards, or commissions, upon requisition of the heads of the respective departments, or of the executive officers of the respective boards or commissions. This paragraph shall not be construed to prohibit a State officer or employe from being reimbursed for the use of his own automobile on State business, but all such reimbursements shall be made under and subject to the rules of the Executive Board regulating the payment of expenses to State officers and employes.

The cost of oil, gasoline, tires, repair parts for and repairs to automobiles permanently assigned to departments, boards, and commissions, shall be paid out of the appropriations to such departments, boards, and commissions, but the Department of Property and Supplies shall contract for all such oil, gasoline, tires, repair-parts, and repairs, except that repairs may be made by the Department of Highways, and, if authorized as hereinbefore provided, by other departments and by boards and commissions. For the use of other automobiles, departments, boards, and commissions shall be billed by the Department of Property and Supplies, upon a mileage basis, at such

amount per mile as the Department of Property and Supplies, with the approval of the Governor, shall determine. Amounts payable for the use of such automobiles shall be paid out of the appropriations to such departments, boards, or commissions to the Department of Property and Supplies, and shall be, by it, paid into the General Fund of the State Treasury, through the Department of Revenue.

The Department of Property and Supplies shall require every administrative department, including the Department of Highways, and every independent administrative and departmental administrative board or commission, to report to it monthly, upon forms supplied by it, and with such detail as it shall require, the places to and from which each automobile was operated, the mileage travelled, the amount of oil and gasoline purchased, the names of employes of the department, board, or commission operating each automobile, the names of the employes of the department, board, or commission for whom the automobiles were operated, and such other information as may be necessary to enable the Department of Property and Supplies to make and keep complete records of the use and cost of operation of all State automobiles, except that it shall not be necessary for the Department of the Auditor General, the Treasury Department, or the Pennsylvania State Police, to report the places to and from which, or the names of the persons by or for whom automobiles were operated.

The types and number of automobiles to be purchased by the Department of Property and Supplies hereunder shall be subject to approval by the Executive Board, and the use of automobiles by State officers and employes shall be subject to the rules and regulations of the Executive Board.

Section 2408. Procedure for Erection of Buildings and Alterations or Additions to Existing Buildings.—Whenever the General Assembly shall have appropriated money to the Department of Property and Supplies, or to any other department, or to any administrative board or commission, for the erection of new buildings, *or sewage or filtration plants, other service systems, or athletic fields, or other structures*, or for alterations or additions to existing buildings, *or to such plants, systems, fields, or structures*, to cost more than ten thousand dollars (\$10,000), the following procedure shall apply, unless the work is to be done by State employes, or by inmates or patients of a State institution or State institutions, or unless the department, board, or commission to which the General Assembly has appropriated money for the foregoing purposes is, by this act or by the act making the appropriation, authorized to erect, alter, or enlarge buildings independently of the Department of Property and Supplies, or under a different procedure:

(a) If the appropriation is to a department other than the Department of Property and Supplies, or to a board or commission, such department, board, or commission shall notify the Department of Property and Supplies as soon as it is ready, to have plans and specifications for the work prepared;

(b) Promptly after such notice, in such cases, or promptly after any appropriation made to it becomes available, the Department of Property and Supplies shall select an architect *and, if necessary, an engineer* to design the work, and prepare the specifications therefor, but, in the case of building to be done for the use of any other de-

partment, or any board or commission (unless the building is on the Capitol grounds), the selection of the architect *and engineer, if any*, shall be subject to approval by such department, board, or commission, and, in case of departmental administrative boards or commissions, by the departments with which such boards or commissions are respectively connected;

(c) The Department of Property and Supplies shall enter into a contract with the architect *and engineer, if any*, which shall provide a date for the completion of the plans and specifications, and that the plans and specifications must meet with the approval of the department, board, or commission for which the building is being erected, altered, or enlarged (unless the building is on the Capitol grounds), and, in the case of departmental administrative boards or commissions, of the departments with which such boards or commissions are respectively connected, that the *drawings and specifications* must be approved by the Department of Property and Supplies, that the exterior design of the building must be approved by the State Art Commission, and that the plans and specifications must be approved by the Department of Labor and Industry, and the Department of Health, to the extent to which those departments, respectively, have jurisdiction to require the submission to them for approval of certain features of the building. Such architect *and engineer, if any*, in preparing plans and specifications, shall *consult with* the department, board, or commission for which the building is to be erected, altered or enlarged (unless the building is on the Capitol grounds), but the Department of Property and Supplies shall insist upon the prompt completion of the plans and specifications, within the time prescribed in the architect's *and engineers contracts*, unless it shall agree to an extension thereof.

Every department, board, or commission, whose approval of plans or specifications is required hereunder shall, *within sixty days after submission thereof by the architect*, approve or disapprove all sketches, drawings, specifications, and other documents, and shall inform the architect of decisions in such reasonable time as not to delay him in his work.

(d) Upon the completion of the plans and specifications, and their approval by all necessary State agencies, the Department of Property and Supplies shall invite proposals, by advertisements inserted at least three times in not less than six or more than twelve newspapers of large general circulation in different parts of the Commonwealth. The first and last publications of any such advertisement shall be at least ten days apart, and the department shall not advertise hereunder in more than three newspapers in the same county.

(e) The department may invite proposals, either for completely erecting, altering, or adding to any building, or separately for parts of the work, or both. Whether it shall invite proposals for part of the work, and, if so, for what parts, shall rest within the sole discretion of the department.

(f) All proposals shall be accompanied by certified or bank checks, in such amounts or percentages of the amounts of the proposals as shall be specified in the advertisement, and shall be publicly opened and tabulated at the time and place specified in the advertisement.

(g) The department shall, as soon as practicable, award the contracts to the lowest responsible *qualified* bidder, but it shall have the right to reject any or all bids, to waive technical defects and to accept or reject any part of any bid, if in the judgment of the department, the best interests of the Commonwealth shall require it;

(h) No proposal for any contract shall be considered unless accompanied by a certified or bank check as prescribed by the department at the time of advertising. A bidder who shall have accompanied his proposal with a certified or bank check, as aforesaid, and to whom a contract shall have been awarded, must, within ten days after such award, substitute for said check a surety *performance* bond for not less than fifty per centum (50%) or more than one hundred per centum (100%) of the bid price of the work, as shall have been prescribed by the department in its invitation for proposals, *and an additional bond in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price of the work, as prescribed by the department in its invitation for proposals, conditioned that the contractor will promptly pay for all material furnished and labor supplied or performed in the prosecution of the work, whether or not the material or labor enter into and become component parts of the building. Such additional bond shall be held by the Department of Property and Supplies for the use of every party who, whether as sub-contractor or otherwise, has furnished material or supplied or performed labor in the prosecution of the work, as above provided, and who has not been paid therefor; and, among other things, shall provide specifically that any such party may bring a suit thereon, in the name of the Commonwealth, for his, their, or its own use, prosecute the same to final judgment for such sum or sums as may be justly due, and have execution thereon: Provided, however, That the Commonwealth shall not be liable for the payment of any costs or expenses of any such suit. Each surety bond, required hereunder, shall have as surety a surety company authorized to transact business in this Commonwealth, or two individual sureties approved by the Department of Justice.*

(i) No contract shall be valid or effective unless a certified copy thereof, detail break-down sheet of the work, and contract price of the work involved, shall have been filed in the offices of the Auditor General, the State Treasurer, and the department, board, or commission for which the work is to be done, *promptly after the execution of the contract;*

(j) The enforcement of all contracts provided for by this section shall be under the control and supervision of the Department of Property and Supplies. In the event that the Department of Property and Supplies and the contractor cannot agree on any of the general conditions of the contract, and on the specifications, such disagreement shall be subject to decision by the Department of Justice, and its decision shall be final.

(k) The Department of Property and Supplies shall examine all bills on account of the contracts entered into under the provisions of this section, and, if they are correct, the department shall certify that the materials have been furnished, or that the work or labor has been performed in a workmanlike manner and in accordance with the contract, approve the bills, and issue its requisition therefor, or forward

its certificate to the proper department, board, or commission, as the case may be;

(1) The Department of Property and Supplies shall have the right to engage the services of any consulting or supervising engineer or engineers, whom it may deem necessary for the proper designing of or inspection or supervision of buildings erected, altered, or enlarged by the department hereunder;

(m) Changes in the plans or specifications, or both, may be made after their approval, only with the consent of all of the departments, boards and commissions whose approval of the original plans or specifications, or both, was necessary hereunder.

(n) *If the appropriation is to a department, other than the Department of Property and Supplies, or to a board or commission, the Department of Property and Supplies shall award and enter into the contract as agent for the department, board, or commission to which the appropriation was made. (Amended June 1, 1931, P. L. 350.)*

Section 2409. Method of Awarding Contracts for Stationery, Paper, Fuel, Repairs, Furnishings and Supplies.—The Department of Property and Supplies shall, on or before the first day of February in each year, notify the Governor, the several administrative departments, the independent administrative, departmental administrative, and advisory boards and commissions, the chief clerks of the Senate and House of Representatives, and the proper officers of the judicial department, respectively, to furnish lists of all furniture and furnishings, stationery, supplies, repairs, alterations, improvements, fuel, and all other articles that may be needed by their respective departments, boards, or commissions, or the Senate, or the House of Representatives, for the fiscal year beginning the first day of June next following, excepting only perishable foodstuffs and fuel for State institutions and repairs or alterations which are not to be made by the Department of Property and Supplies.

Upon receipt of such lists, the Department of Property and Supplies shall consolidate and classify the articles named therein, taking care that there shall be full descriptions given, with make and number of goods when possible, and proper maximum price fixed, and shall prepare annual, semiannual, or quarterly schedules thereof, as deemed for the best interests of the Commonwealth. Whenever deemed necessary, it shall have plans, designs, and specifications prepared of any furniture or furnishings, repairs, alterations and improvements, paying for the preparation of the same out of the funds appropriated to the department.

The department shall state in the schedules that the work or articles for which the plans, designs, and specifications are prepared, are to be done or furnished in accordance therewith, and that the plans, designs, or specifications will be found in its office for inspection, and copies of the same shall be furnished to the successful bidders. The schedules shall state that bids will be received on one or more of the items of any classification of the schedules. In such schedules, the form of proposal shall be given, and all other information which the department shall consider necessary for the bidder. In preparing the lists or schedules, the department shall, in all cases, give preference to goods of American production or manufacture. The quantities given

in the schedules shall be the estimated maximum quantities that are likely to be required during the term of contract, but the schedules shall, in all cases, provide that the goods shall be furnished in greater or less quantity, and at such times, as the needs of the departments, boards, commissions, and the Senate and House shall require.

The schedules shall also provide, whenever practicable, a per diem penalty or forfeiture, after a stated time, for the failure of a contractor to finish or furnish the work or materials contracted for, which penalty or forfeiture shall be deducted by the Auditor General from the amount of the contractor's bill, before settlement is made, when so directed to do by the department.

The department, after conferring with the heads of the various departments, boards, commissions, and the chief clerks of the Senate and House, shall have the power to make such changes in the schedules as may be deemed proper, and may standardize any or all articles therein.

When the schedules have been finally prepared, they shall be printed in pamphlet form, as the schedules of stationery, paper, supplies, fuel, furniture, furnishings, repairs, alterations, improvements and other matters and things needed for the public grounds and buildings, the Senate and House of Representatives, the several departments, boards, and commissions of the State Government, and the Executive Mansion.

The department shall, not less than six weeks prior to the termination of schedule contracts now existing or that may be made in the future, advertise the opening of bids for the annual, semiannual, or quarterly schedules, by advertising inserted, for at least three days, the first and last publication to be at least ten days apart, in not less than six or more than twelve newspapers of extensive general circulation in different parts of the Commonwealth, not more than three of which shall be published in any one county, invite sealed proposals for contracts to furnish all stationery, supplies, paper, and fuel, used by the Senate and House of Representatives, the several departments, boards, and commissions of the State Government, and the Executive Mansion, and for repairing, altering, improving, furnishing or refurnishing, and all other matters or things required for the public grounds and buildings, legislative halls and rooms connected therewith, the rooms of the several departments, boards, and commissions, and the buildings connected with the State Capitol and the Executive Mansion. The advertisement shall contain a reference to the schedules so printed, and, as briefly as practicable, invite bids for the furnishing of articles named in the schedules, and give notice of the time and place where such bids will be received, and when they will be opened.

All proposals shall be delivered to the department on or before twelve o'clock meridian, on the day set by the department, following the date of the last advertisement, and each bid shall be in duplicate, one of which shall be marked "Duplicate Bid." Each bid, together with the proper certified or bank check as provided for in this act, shall be enclosed in an envelope, securely sealed, and shall be mailed or delivered to the department, which shall retain all envelopes unopened until the time fixed for the opening thereof.

The department shall, on the date fixed for opening of bids, at twelve o'clock meridian, open and publish said proposals, and, as soon thereafter as practicable, award the contracts to the lowest responsible

bidder, on each of the items of the several classifications of the schedules. The department shall have the right to reject any or all bids. The bids, when opened, shall be tabulated and shall be subject to examination by bidders. A record of all bids shall be made by the department, in a book kept for that purpose.

When no proposal has been received, or, if for any reason the department shall reject all proposals, the department shall advertise again for proposals, giving at least fifteen days' notice of the time of receiving the same, which proposals shall be opened, awarded and approved in like manner as heretofore provided.

No proposal for any contract shall be considered unless such proposal is accompanied by a certified or bank check, to the order of the State Treasurer, in one-fourth the amount of the estimated contract, or by a bond in such form and amount as may be prescribed by the department. Any such bond shall be conditioned for the faithful performance of the terms of the contract, if awarded, and shall have as surety one surety company authorized to act as surety in this Commonwealth, or two individual sureties approved by the Department of Justice.

A bidder, who shall have accompanied his proposal with a certified or bank check as aforesaid, and to whom a contract shall have been awarded, may, within ten days after such award, substitute for said check a bond as herein prescribed, otherwise said check shall be retained in lieu of a bond.

In the event that any contractor shall fail to fulfill or comply with the terms of any contract, such contract shall be awarded to the next lowest responsible bidder, and the department shall request the Department of Justice to bring suit against the failing contractor or his sureties to recover the loss sustained by the Commonwealth by the reletting.

All contracts awarded shall be severally void unless first approved by the Governor, the Auditor General, and the State Treasurer, and when so approved, together with all checks or bonds given for their faithful performance, be filed with the department, which shall keep a record of the same and shall, within twenty days after the award, certify copies of all said contracts to the Auditor General. The bonds and certified checks of all unsuccessful bidders shall be returned to such bidders as soon as practicable after contracts have been awarded and approved, but not later than sixty days after the date of opening the proposals.

The enforcement of all contracts provided for by this act and of all similar contracts heretofore entered into and now in force shall be under the control and supervision of the department.

The department shall receive from the contractor or contractors the articles mentioned in the schedules. Articles contracted for must be furnished promptly. It shall be the duty of the department to reject all articles not up to the standard required and, if a contractor shall fail to exchange them for articles that meet the requirements prescribed, or shall fail to deliver any article within a reasonable time, the department may go into the open market and purchase articles to take the place of those adjudged to be of inferior quality or which have not been delivered, and deduct the expense, including any excess in price over that called for in the contract, from the amount due

the contractor from the Commonwealth. If the amount due said contractor is not sufficient to meet such expenses and excess price paid for the articles purchased, the department may proceed against the contractor or his sureties, under the bond aforesaid, by proper action through the Department of Justice.

In all cases where a lump sum contract, containing a provision for partial payments, on account of materials delivered and work done, is entered into by the department, a percentage, to be fixed by the department, of the amount due, as set forth in the contract, shall be withheld from the contractor by the Auditor General, until the department shall certify that the contract has been fully complied with.

The department shall examine all bills on account of contracts entered into under the provisions of this section, and, if they are correct, the department shall certify that the materials have been furnished, or that the work or labor has been performed, in accordance with the contract and approved the bills. When so approved, the bills shall be audited, settled, and paid by the Auditor General and State Treasurer, in the manner provided by law.

It shall be the duty of the department, when the articles named in the schedules are received from the contractors, to care for them properly in storage rooms, and the department shall be held responsible for their safe-keeping.

The Board of Commissioners of Public Grounds and Buildings shall provide suitable storage rooms for the furniture, stationery, supplies, and fuel that may be procured.

Whenever the Governor, the heads of departments, the executive officers of independent administrative boards and commissions, the chief clerks of the Senate and House of Representatives, or the proper officers of the judicial department, shall require any portion of the stationery, supplies, fuel, furniture, furnishings, repairs, alterations, improvements, and other matters or things, appearing in the schedules, for which contracts have been awarded by the board, a requisition, giving number and description of the item needed, shall be made on the department, which shall cause the article to be delivered, taking a proper receipt therefor.

Whenever any administrative department or any independent administrative or departmental administrative board or commission, shall call upon the department to purchase for it, as purchasing agency, any article named in the schedules, if the department has such article on hand, it may deliver the same to such department, board, or commission, and forthwith, as purchasing agency, for such department, board, or commission, purchase another article to replace the article so delivered, such replacement to be paid for out of the appropriation available to the department, board, or commission for the purchase of the article.

In the event that requisitions are made upon the department for any article of furniture, furnishing, stationery, supplies, fuel, or any other matter or thing, the want of which was not anticipated at the time of the making of the schedules, the department may, in its discretion, invite proposals from at least two responsible bidders, unless the article can be procured from only one source, and, when one proposal shall be invited, such proposal or proposals, together with such requisition or requisitions, shall be submitted to the Board of Commissioners

of Public Grounds and Buildings for approval or disapproval at its next meeting: Provided, however, That the department may, in its discretion, purchase in the open market, without inviting any proposal, any such article costing less than fifty dollars, but all such purchases shall be reported to the Board of Commissioners of Public Grounds and Buildings at its next meeting.

Whenever any contract for the furnishing of materials for use in the construction or maintenance of highways exceeds five hundred dollars (\$500.00) in amount, and includes the performance of labor or the use of other materials in the delivery of such material to the site of the work, or in the incorporation thereof, into the completed structure, the Department of Property and Supplies shall require the contractor to furnish an additional bond conditioned for the payment of labor and materials in the same manner as is required by paragraph (h) of section two thousand four hundred and eight of the Administrative Code to which this act is an amendment. (Amended July 17, 1935, P. L. 1166, No. 376.)

Section 2410. Method of Awarding Contracts for Public Printing and Binding.—All contracts for public printing and binding shall be for terms of not less than one or more than four years.

The department shall have the right to divide such printing and binding into as many classes, and enter into as many contracts therefor, as it shall deem proper and advisable in carrying out the provisions of this act, and to make classifications and prepare specifications, schedules and contracts, *and to specify, in any contract for printing, the machinery and equipment which must be owned or leased before the contract will be awarded to a bidder.*

Not less than two months prior to the termination of any contract now existing, or the termination or expiration of any contract hereafter entered into, the department shall advertise for proposals for public printing and binding, which advertisements shall be published for at least three days, the first and last publications to be at least ten days apart, in one or more newspapers of general circulation published in Philadelphia, Pittsburgh, Harrisburg, and five other places within the Commonwealth. *Such advertisement shall specify the special qualifications, if any, as to machinery and equipments.*

All proposals shall be submitted upon blanks furnished by the department, on or before the time fixed for opening proposals, and each proposal shall be in duplicate, one of which shall be marked "Duplicate Proposal." Each proposal shall be accompanied by a certified or bank check to the order of the State Treasurer in such an amount as shall be determined by the department and designated in the advertisement.

The Secretary of Property and Supplies shall open all proposals received, publicly, and shall proceed publicly to award the contract or contracts for which bids were asked, to the lowest responsible *qualified* bidder or bidders below the maximum price or prices fixed in the schedule or schedules prepared by the department, and, if any such bidder refuses or neglects to accept a contract awarded to him, within ten days, then such contract may be awarded to the next lowest *responsible qualified* bidder, and so on until such contract shall be awarded and accepted: Provided, however, That the department shall have the right to reject any or all bids, and, when all bids shall be so

refused, the department shall advertise again for propoals, giving at least ten (10) days' notice thereof by advertisement, and said proposals shall be opened, awarded, and approved in like manner as hereinbefore provided: And provided further, That all contracts awarded shall be severally void, unless first approved by the Governor, the Auditor General, and the State Treasurer.

The certified or bank checks of all unsuccessful bidders, to whom no contracts were awarded, shall be returned to the makers thereof, but any bidder, to whom a contract has been awarded, and who has neglected or failed to enter into the contract or contracts awarded to him in the manner and upon the terms herein provided, shall be liable to the Commonwealth for the difference between the amount of his bid and the bid of the person or persons to whom said contract shall afterwards be awarded, and, in addition thereto, all costs and expenses necessarily incurred by reason of his neglect or failure, and, as liquidated damages therefor, there shall be retained by the Commonwealth, out of the amount of said certified or bank check, the amount required to reimburse the Commonwealth for such loss.

No contract shall be entered into with any contractor until after such contractor *shall have satisfied the department that he is the owner or lessee of sufficient machinery and equipment properly and promptly to perform and execute any orders given to him under the proposed contract*, and has furnished a sufficient bond to the Commonwealth, in such form and amount as may be prescribed by the department, conditioned for the faithful performance of the terms of the contract, and shall have, as surety, a surety company authorized to act as surety in this Commonwealth, said bond and the terms thereof to be approved by the Attorney General.

No public printing and binding shall be performed for any department, board, commission, or other agency of the State Government, or any officer thereof, unless authorized in writing by the department, and no printing or binding whatsoever shall be done by the contractor, at the expense of the Commonwealth, except upon such written order or authorization, and the contractor shall not proceed with any work until he shall have received from the department a written order and full instructions therefor.

The rates of compensation for the public printing and binding, for all objects of charge against the Commonwealth by the contractor, shall be according to the schedules set out in the specifications furnished by the department and incorporated in the contract; and no printing and binding, or other work or material whatsoever, shall be done or furnished by the contractor that is not set forth in the schedules or specifications incorporated in the contract, unless authorized in writing by the department and the price therefor designated by it; and, if the contractor shall proceed with any such printing and binding without such authorization in writing, the department shall have the right to condemn such unauthorized work, whereupon the contractor shall not be entitled to receive any compensation whatsoever therefor; or the department, if it shall accept such unauthorized printing and binding, shall fix a reasonable price therefor, which said price shall in no case exceed the lowest rate or rates at which the same can be obtained elsewhere by said department, and said con-

tractor shall be bound by the rate or rates so fixed by said department and shall in no case recover any additional sum or amount.

There shall be provided by the department, and incorporated in every contract made hereunder, provision for delivery of all printing, binding, and other work done by the contractor, the time when delivery must be made, and reasonable penalties for delay in such delivery.

The department may award contracts for emergency public printing and binding, from time to time, as the necessity arises, by securing competitive bids without advertising therefor, but every such contract shall be void unless approved by the Governor, the Auditor General, and the State Treasurer. (Amended June 1, 1931, P. L. 350.)

Section 2411. Preparation of Plans and Specifications and in Anticipation of Requests for Appropriations.—The Department of Property and Supplies shall have the power, out of funds appropriated to it for the purpose, to cause plans and specifications for and estimates of the cost of State buildings or alterations or additions to the same to be prepared prior to the meeting of the General Assembly. The procedure shall be as follows:

(a) Whenever any department, other than the Department of Property and Supplies, or any independent administrative or departmental administrative board or commission, shall propose to request the General Assembly to make an appropriation for the construction or alteration of or an addition to a State building, it shall notify the Department of Property and Supplies of such intention.

(b) When the Department of Property and Supplies has received such notice, or when it believes that any building should be constructed, altered, or enlarged on the Capitol grounds, or that a building for its own use or for the general use of the State Government should be constructed elsewhere than on the Capitol grounds, or that any such building, already erected, should be altered or enlarged, the Department of Property and Supplies, if it has funds available for the preparation of plans and specifications, shall appoint an architect to prepare such plans and specifications. Such appointment shall be subject to the approval of the department, board, or commission which proposes to make the request for funds, and, in the case of a departmental administrative board or commission, subject also to the approval of the department with which such board or commission is connected.

(c) The Department of Property and Supplies shall enter into a contract with the architect thus appointed and approved. Such contract shall provide a date within which the plans and specifications must be completed, that the plans and specifications must be approved by all agencies whose approval was necessary for the selection of the architect, that the exterior design of the building must be approved by the State Art Commission, that the specifications must be approved by the Department of Property and Supplies, and that the plans and specifications must be approved by the Department of Labor and Industry and the Department of Health, to the extent to which those departments respectively have jurisdiction to require the submission to them for approval of certain features of the building.

(d) The work of the architects in preparing plans and specifications shall be under the direction of the department, board, or commission which proposes to request the Legislature to authorize the erection,

alteration, or enlargement of the building, but it shall be the duty of the Department of Property and Supplies to insist that the plans and specifications be completed within the time specified in the contract.

Every department, board, or commission, whose approval of plans or specifications is required hereunder, shall give prompt and thorough consideration to all sketches, drawings, specifications, and other documents, presented by the architect, and shall inform the architect of decisions in such reasonable time as not to delay him in his work.

(e) Upon the completion and approval of the plans and specifications, the Department of Property and Supplies shall advertise for proposals, as in the case of the erection, alteration, or enlargement of buildings for which the General Assembly has appropriated money, but the advertisement and invitation to bidders shall, in each case, specifically state that the Department may reject any and all bids, that a contract will not be awarded prior to May thirty-first of the year in which the General Assembly shall then be meeting or shall next meet, and, if such date be more than sixty days later than the date for opening proposals, that any bidders desiring to withdraw their proposals before such date will be permitted to do so. It shall not be necessary for bidders to accompany their bids with certified or bank checks, but, before any contract is awarded upon any proposal submitted by any bidder hereunder, it shall be necessary for such bidder to satisfy the Department of Property and Supplies of his ability to furnish a bond for the completion of the contract in such percentage of the amount of the bid as shall have been specified in the invitation to bidders.

(f) Bids submitted in any such case shall be publicly opened and tabulated on the date specified in the advertisement, and all plans, specifications, and proposals shall be available to the General Assembly for consideration in connection with the request for an appropriation for the erection, alteration, or enlargement of the building.

Section 2412. Qualification of Bidders.—In every case in which the Department of Property and Supplies is authorized by this act to invite proposals, it may, in its discretion, furnish to every prospective bidder a questionnaire calling upon the bidder to furnish information relative to his financial status, experience, equipment, and integrity, and require such questionnaire, properly filled out and verified by oath or affirmation, to be attached to the bidder's proposal.

Whenever a questionnaire is furnished and required hereunder the department may consider the information therein contained in determining which is the lowest responsible bidder.

Section 2413. Board of Commissioners of Public Grounds and Buildings.—The Board of Commissioners of Public Grounds and Buildings shall have the power, and its duty shall be:

(a) To assign rooms in the State Capitol to the Governor, the General Assembly, and the officers and committees thereof, the Supreme and Superior Courts and the judges and officers thereof, and, as far as possible, to the several administrative departments, boards, and commissions of the State Government;

(b) Whenever the Department of Property and Supplies shall have leased offices, rooms, or accommodations, outside the Capitol buildings,

for the use of the administrative departments, boards, or commissions, to assign such rooms to such administrative departments, boards, or commissions as cannot be adequately accommodated in the Capitol buildings;

(c) To approve or disapprove proposed leases for branch offices, rooms, and accommodations, outside the capital city, and to assign such offices, rooms, and accommodations if and when leased;

(d) To approve or disapprove proposed purchases by the Department of Property and Supplies, as purchasing agency, of articles other than those on the department's schedules, when a similar article is included on such schedules, and to approve or disapprove departures from specifications contained in the schedules, or from standard specifications, for articles not included in the schedules, by departments, boards, or commissions having charge of State institutions.

Section 2414. State Art Commission.—Subject to any inconsistent provisions in this act contained, the State Art Commission shall have the power, and its duty shall be, to examine and approve or disapprove the exterior design and proposed location of all public monuments, memorials, buildings, or other structures, except in cities of the first or second class, in accordance with the act approved the first day of May, one thousand nine hundred and nineteen (Pamphlet Laws, one hundred three), entitled “An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings; requiring the approval of the commission of the design and location of all public monuments, memorials, buildings, or other structures, and certain private structures proposed to be erected anywhere in this Commonwealth, other than in cities of the first and second classes.”

Section 2415. General Galusha Pennypacker Monument Commission.—The General Galusha Pennypacker Monument Commission shall have the right, from time to time, to meet for the purpose of considering and studying the work of the department with regard to the Monument of General Galusha Pennypacker, now being constructed in Logan Square, Philadelphia, and to make recommendations and render advice to and approve or disapprove the plans of the department with regard to the erection, maintenance and care of such monument.

Section 2416. Capitol Police.—The Capitol Police shall have the power, and their duty shall be:

(a) To enforce good order both in the Capitol buildings and on the grounds;

(b) To protect the property of the Commonwealth in the Capitol grounds and buildings;

(c) To exclude all disorderly persons from the premises of the State Capitol;

(d) In the performance of their duties, to adopt whatever means may be necessary;

(e) To exercise the same powers as are now or may hereafter be exercised under authority of law or ordinance by the police of the city of Harrisburg;

(f) To shoot any dogs or cats wandering at large in the buildings or upon the grounds connected with the State Capitol, unless the same are in leash or under the complete control of the owner;

(g) To order off said grounds and out of said buildings all vagrants, loafers, trespassers, and persons under the influence of liquor, and, if necessary, remove them by force, and, in case of resistance, carry such offenders before an alderman; and

(h) To arrest any person who shall damage, mutilate, or destroy the trees, plants, shrubbery, turf, grass-plots, benches, buildings or structures, or commit any other offense within the Capitol grounds and buildings, and the Executive Mansion, and carry the offender before the proper alderman and prefer charges against him under the laws of the Commonwealth.

Section 2417. Allocation of Certain Costs Incurred by the Department.—In order to reimburse the General Fund for the costs incurred by the Department of Property and Supplies in purchasing equipment, materials, and supplies for departments, boards, and commissions, as purchasing agency, and for space occupied in the Capitol buildings and water, light, heat, power, telephone and other services utilized and consumed by the departments, boards, and commissions, whose expenses are wholly or mainly paid out of funds other than the General Fund of the State Treasury, such departments, boards, or commissions, to which special operating funds are appropriated for this purpose, shall be billed at least quarterly by the Department of Property and Supplies, upon a cost basis, at such amounts as the Department of Property and Supplies, with the approval of the Executive Board, shall determine. Amounts payable hereunder for reimbursing the General Fund for the above costs shall be paid out of such special operating funds in the State Treasury to the Department of Property and Supplies, and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue. (Added June 3, 1933, P. L. 1468.)

ARTICLE XXV

POWERS AND DUTIES OF THE DEPARTMENT OF REVENUE

Section 2501. Powers and Duties in General.—The Department of Revenue shall exercise such powers and perform such duties as are vested in and imposed upon it by The Fiscal Code and other applicable laws.

Section 2502. Enforcement of Vehiele Code.—In connection with the collection of motor license fees, fees for titling automobiles, and operators' license fees, and the issuance of certificates of title and motor and operators' licenses, the Department of Revenue shall enforce the laws regulating the use of vehicles on the highways of this Commonwealth.

The Secretary of Revenue may designate the person in charge of the work to which this section refers as the Commissioner of Motor Vehicles, and shall establish, within his department, for the purpose of assisting in the collection of fees, the enforcement of the title provisions of the Vehiele Code, and the laws regulating the use of the highways by vehicles, a force to be known as the State Highway Patrol, which shall consist of such number of officers and men and be organized, trained, and disciplined in such manner as the Secretary of Revenue, with the approval of the Governor, may determine.

ARTICLE XXVI

POWERS AND DUTIES OF THE BOARD OF GAME COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2601. Powers and Duties in General.—The Board of Game Commissioners shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said board.

Section 2602. Enforcement of Game Laws.—The Board of Game Commissioners shall have the power, and its duty shall be:

(a) To protect, propagate, and preserve the game, fur-bearing animals, and protected birds of the Commonwealth, and to enforce, by proper action and proceedings, the law relating to the same;

(b) To appoint such number of game protectors as the Governor shall approve, at such compensation as the Governor shall approve, to assist the board in the proper discharge of its duties, and such number of deputy game protectors as the Governor shall approve. Deputy game protectors shall not receive any compensation for services rendered or expenses incurred in the performance of their duties, unless specifically employed for special duties by written order of the secretary of the board.

The secretary of the board shall be the Chief Game Protector, and shall have the direction, supervision, and control of the other game protectors.

Section 2603. Special Hunters' Licenses.—The Board of Game Commissioners shall have the power to issue special deer licenses, special licenses to persons of known scientific attainment, agents of public museums, teachers of ornithology, breeders, taxidermists, and fur dealers, and other special licenses, upon such terms and conditions, and upon payment of such fees, as may from time to time be provided by law.

Section 2604. State Game Refuges and Farms.—The Board of Game Commissioners shall have the power to *acquire lands, with or without mineral reservatinos, by purchase, lease, or gift, and to establish and maintain State Game Refuges and Game Farms* for the protection and propagation of game, as may now or hereafter be authorized by law. (Amended June 1, 1931, P. L. 350.)

Section 2605. Powers of Game Protectors.—Each member of the Board of Game Commissioners, the executive secretary of the board, each game protector, and each deputy game protector shall have the power:

(a) To enforce all the laws relating to game or other wild birds or wild animals, and to go upon any property, outside of buildings, posted or otherwise, in the performance of his duty;

(b) To execute all warrants and search warrants for the violation of the laws relating to game or other wild birds or wild animals;

(c) To serve subpoenas issued for the examination, investigation and trial of all offenses against the laws relating to game or other wild birds or wild animals;

(d) To carry firearms or other weapons, concealed or otherwise, in the performance of their duties;

(e) To arrest without warrant any person found in the act of violating any provisions of the laws relating to game or other wild birds or wild animals, or in pursuit immediately following such violations, or any person whom they have reason to suspect as being an unnaturalized foreign born resident when such person has in possession a firearm or a dog of any kind;

(f) To call upon any citizen of this Commonwealth for assistance in making arrests;

(g) To search, without warrant, and examine any person, or any boat, conveyance, vehicle, game bag, game coat, or other receptacle for game, or any camp, tent or cabin, in the presence of any person stopping at or belonging to such camp, tent or cabin, or any roster when he has reason to believe, and has stated to the suspected person or persons in charge, his reason for believing that any of the laws relating to game or other wild birds or wild animals has been violated;

(h) To secure and execute search warrants and, in pursuance thereof, to enter any building, enclosure, or car, and to break open any apartment, chest, locker, box, trunk, crate, basket, bag, package or container and to examine the contents thereof;

(i) At any time, in any manner, or for any purpose, to seize and take possession of all birds or animals which have been caught, taken, or killed, or had in possession, or under control, or which have been shipped, or are about to be shipped, contrary to the laws of this Commonwealth.

(j) To seize all guns, shooting or hunting paraphernalia, traps, dogs, boats, decoys, or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals, when making an arrest, or found in the execution of a search warrant;

(k) To administer any oath required by the provisions, or relative to any violation, of any law relating to game found in a camp or in possession under control or other wild birds or wild animals; and, where game is found in a camp, or in possession, or under control of any individual or hunting party, to question such person or persons, under oath, relative to the taking, ownership or possession of the same.

ARTICLE XXVII

POWERS AND DUTIES OF THE BOARD OF FISH COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2701. Powers and Duties in General.—The Board of Fish Commissioners shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said board.

Section 2702. Enforcement of Fish Laws.—The Board of Fish Commissioners shall have the power, and its duty shall be:

(a) To administer and enforce the laws of this Commonwealth relating to the encouragement, promotion, and development of the fishery interests and the protection, propagation, and distribution of fish;

(b) To make rules and regulations not inconsistent with law for the enforcement of the laws relating to the protection, propagation, and distribution of fish, and for the angling, catching, or removal of

fish in or from any waters, artificial or otherwise, wholly within this Commonwealth, or in waters lying between this Commonwealth and any other State, or in the waters of such part of any lake of more than five thousand acres lying between this Commonwealth and any other State or foreign country as is within the jurisdiction of this Commonwealth;

(c) To appoint as many citizens of this Commonwealth as fish wardens as the Governor may approve, and to designate one of such wardens as chief warden, who shall act in that capacity at the pleasure of the board and shall perform such duties as the board may prescribe. The chief warden shall have the direction and control of the other wardens under the supervision of the board. All fish wardens shall hold office during the pleasure of the board, and shall receive such compensation for their services, and be allowed such expenses, as the board, with the approval of the Governor, shall determine.

(d) Upon the written application of a properly organized fish protective association, or upon the written application of any association or individual owning or leasing waters, to appoint one or more special fish wardens for the county in which the application is made. The board may also appoint special fish wardens to act anywhere within the Commonwealth. All special fish wardens, appointed under the authority of this section, may exercise the powers of their appointment until the thirty-first day of May next succeeding the date of their appointment and no longer. They shall not be entitled to any salary, compensation, or expenses, for their services, from the Commonwealth, unless detailed by writing for duty by the Commissioner of Fisheries, in which case they shall receive such compensation and reasonable expenses as the board, with the approval of the Governor, may determine.

(e) To obtain and transmit to the Department of Property and Supplies, for publication, information respecting the laws relating to the protection of fish and the extent and conditions of the fisheries of the Commonwealth.

Section 2703. Hatching Stations and Distribution of Fish.—The Board of Fish Commissioners shall have the power, and its duty shall be:

(a) To control and manage all hatching stations and fish cultural establishments belonging to the Commonwealth or which may be hereafter established;

(b) To make free distribution or planting of the fish produced at the State fish hatcheries, or otherwise acquired, in the following order or preference: First, to the public waters of the Commonwealth, within the State forests; Second, to the public school authorities, and to persons connected with institutions of learning, who may apply for the same for educational purposes or for scientific research, and to persons applying for fishing culture for aquarium purposes and show ponds; Third, to the waters within this Commonwealth the bed and banks of which are the subject of private ownership, upon a written application of one or more of the owners or lawful occupants thereof; Fourth, to the waters within this Commonwealth the bed and banks of which are the subject of private ownership, but whose owners are nonresidents and unknown, or whose owners by habit and custom

permit the public to fish therein. The Commissioner of Fisheries may distribute and plant fish without an application therefor.

(c) To set aside such small streams and lakes, as the department may judge best, as nursery streams or lakes, in which fishing shall be prohibited at all times in the year, but, before setting aside such streams or lakes, the department shall give public notice of closing such streams or stations by publishing the prohibition and the duration thereof, in two newspapers of general circulation published in the county or counties where such stream or lake is located, once a week for three consecutive weeks. Notice of such closing shall also be posted at the outlet of the stream or lake so closed, and at intervals of three hundred yards along the bank thereof.

Section 2704. Fishways.—The Board of Fish Commissioners shall have the power, and its duty shall be:

(a) To require any person, association, or corporation, now or hereafter erecting or maintaining a dam in the waters of this Commonwealth, to erect therein such chutes, slopes, fishways, gates, or other devices, as the board may deem necessary to enable the fish to ascend or descend the waters at all seasons of the year, or to make necessary repairs to any such chutes, slopes, fishways, gates, or other devices, and to prosecute any person, association, or corporation, refusing or neglecting to erect devices or make repairs as requested by the written order of the board. If after the lapse of three calendar months from the date of such notice, the person owning or maintaining said dam neglects, fails, or refuses to erect or place or maintain unchanged, open and in good order and repair, any appliances as directed by the board, the board is authorized to enter upon such dam and erect such chute, slope, fishways, or gate, or make such repairs, as may have been directed as aforesaid. The cost thereof shall be charged against the person owning or maintaining such dam by the board and may be recovered by civil suit in the name of the Commonwealth:

Provided, however, that, in lieu of requiring the erection of such chutes, slopes, fishways, gates, or other devices at any dam, where the same is not deemed by the board to be practicable or advisable, for the ascending or descending of fish, the board is empowered to enter into an agreement with the owner, lessee, or operator of such dam to pay to the board annually or at other stated periods a sum of money which shall be not less than four and one-half per centum ($4\frac{1}{2}\%$) per annum upon the estimated cost of the erection of such chutes, slopes, fishways, gates; or other devices, except that, in cases where the amount so calculated would be equal to or exceed the sum of four thousand dollars (\$4,000) per annum, then the annual payment shall in all such cases be four thousand dollars (\$4,000) per annum, to be expended by the board for the purpose of stocking with food fish the waters of the pool above said dam, and for the purpose of propagating, rearing, and distributing the fish actually placed in said waters, and the acquisition of the necessary facilities therefor.

(b) To require, by notice in writing, any person, association, or corporation, owning or maintaining a raceway, flume, or inlet pipe, leading to a water wheel, turbine, pump, or canal, to place and maintain a bar rack, of not less than one-half inch or more than one and

one-half inch space between the bars, in or near such raceway, flume, or inlet pipe, sufficient to prevent fish from entering therein, and to prosecute any person refusing or neglecting to comply with such order for a period of one month. If one month after such notice shall have been given, the person, association, or corporation, owning or operating such raceway, flume, or inlet pipe, shall not have placed such bar rack, as may have been directed, the board is authorized to enter upon such raceway, flume, or inlet pipe, and place such bar rack, as shall have been required, the cost of which shall be charged against such owner or operator, and may be recovered by the board by civil suit in the name of the Commonwealth.

Section 2705. Special Licenses.—The Board of Fish Commissioners shall have the power to issue boat and net licenses, seine licenses, propagation licenses, and any other special licenses, under such conditions and upon payment of such fees as may from time to time be authorized by law.

Section 2706. Powers of Fish Wardens.—Every member of the Board of Fish Commissioners, every fish warden, and every special fish warden shall have power:

- (a) To enforce all the laws of the Commonwealth relating to fish;
- (b) To execute all warrants and search warrants for the violation of the fish laws;
- (c) To serve subpoenas issued for the examination, investigation, and trial of all offenses against the laws relating to fish;
- (d) To carry firearms, or other weapons, in the performance of his duties, and to stop or halt, by pointing or discharging firearms, any person violating or believed to be violating any of the laws of the Commonwealth the enforcement of which is charged to such officers, and any such officer shall at all times be privileged to protect himself in the performance of his duty;
- (e) To search, without warrant, any boat, conveyance, vehicle, fish-box, bag, coat, basket, or other receptacle for fish, when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated;
- (f) To seize and take possession of any and all fish which may have been caught, taken, or killed, at any time, in any manner, or for any purpose, or had in possession, or under control, or which have been shipped or are about to be shipped, contrary to the laws of this Commonwealth. Fish so seized shall be disposed of in any manner as the Commissioner of Fisheries may direct.
- (g) To enter upon any land or water in the performance of his duty;
- (h) To demand and secure proper assistance in case of emergency;
- (i) To purchase fish for the purpose of securing evidence.

ARTICLE XXVIII

POWERS AND DUTIES OF THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

Section 2801. Powers and Duties in General.—The Public Service Commission of the Commonwealth of Pennsylvania shall, subject to

any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission.

Section 2802. Public Service Company Law.—The Public Service Commission of the Commonwealth of Pennsylvania shall have the power, and its duties shall be:

(a) To administer and enforce the act, approved the twenty-sixth day of July, one thousand nine hundred and thirteen, entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the commission of the expense and damage resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloading within the free time for unloading cars, and fixing the free time that

shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," as amended and supplemented;

(b) To certify to the Sanitary Water Board any question of fact regarding the purity of water supplied to the public by any public service company over which it has jurisdiction, when any such question arises in any controversy or other proceeding before it, and, upon the determination of such question by the Sanitary Water Board, to incorporate the findings of the board thereon in its decision upon the controversy or other proceeding out of which the question arose.

Section 2803. Elevated and Underground Railways.—The Public Service Commission of the Commonwealth of Pennsylvania shall have the power, and its duty shall be, to exercise the powers and perform the duties heretofore by law vested in and imposed upon the board consisting of the Governor, the Secretary of the Commonwealth, and the Attorney General by the act, approved the twentieth day of June, one thousand nine hundred and one (Pamphlet Laws, five hundred and seventy-seven), entitled "An act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway, either elevated or underground, or partly elevated or partly underground, with incidental surface rights, shall be incorporated except where the same shall be located upon streets in thickly populated regions, and until the necessity for such railways shall have been passed upon by a board consisting of the Governor, the Secretary of the Commonwealth and the Attorney-General, after notice," which reads as follows:

"Section 1. Be it enacted, &c., That hereafter no letters patent shall be issued to any company, nor shall any corporation be otherwise created, for the construction of an elevated or underground, or partly elevated and partly underground, passenger railway, except the same shall be located upon, over, under, across, through or along a street, road or highway in a thickly populated locality, where the surface travel is congested; nor unless and until the necessity for the construction and operation of said railway shall have been passed on and approved by a board, consisting of the Governor, the Secretary of the Commonwealth and the Attorney General, after thirty days' public notice, published as shall be prescribed by said board."

ARTICLE XXIX

INTERPRETATION AND EFFECTIVE DATE

Section 2901. Constitutionality.—It is the intention of the General Assembly that, if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof, the remaining provisions of the act shall be given full force and effect, as completely as if the part or parts held unconstitutional had not been included herein. It is the

intention of the General Assembly that, if any court of competent jurisdiction shall hold unconstitutional any provisions of this act transferring to a department, board, commission, or officer the powers and duties heretofore exercised and performed by a department, board, or commission, abolished by this act, the provisions abolishing such department, board, or commission shall thereby become inoperative, and that, in such event, such department, board, or commission shall not be abolished but shall continue as prior to the passage of this act, and shall exercise its powers and perform its duties as heretofore. The remaining provisions of this act shall in any such case be given full force and effect.

Section 2902. Continuation of Existing Laws.—The provisions of this act, so far as they are the same as those of existing laws, shall be construed as a continuation of such laws and not as new enactments.

Section 2903. Enumeration of Powers of Departments, Boards, and Commissions.—Whenever in this act the powers and duties of a department, board, commission, or officer are enumerated and defined, such enumeration and definition shall not be construed to be in derogation or limitation of the powers and duties heretofore exercised and performed by such department, board, commission, or officer unless:

(a) Any power or duty, as enumerated and defined, is clearly inconsistent with the exercise of a power or the performance of a duty heretofore exercised or performed;

(b) There is a specific statement that a power or a duty heretofore exercised or performed shall not be exercised or performed by such department, board, commission or officer, or that such power or duty shall be exercised in a different manner.

Section 2904. Repealed Laws not Revived.—The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded.

Section 2905. Effective Date.—This act shall take effect on the first day of June, one thousand nine hundred twenty-nine: Provided, however, That any provision of this act increasing or diminishing the salary or emoluments of any public officer now holding office shall not become effective until the term of such officer shall expire or he shall die, resign, or be removed from office.

Section 2906. Existing Officers to Continue; Exception.—All appointive administrative officers, holding office when this act becomes effective, whose offices are not abolished by this act, the members of all independent administrative boards and commissions, and, unless expressly otherwise provided in this act, the appointive members of departmental administrative boards and commissions and advisory boards and commissions, which are not abolished by this act, shall continue in office until the term for which they were respectively appointed shall expire or until they shall die, resign, or be removed from office.

The terms of the members of the State Aeronautics Commission now holding office shall expire upon the effective date of this act.

ARTICLE XXX

REPEALER

Section 3001. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed:

Sections 2003 to 2021 inclusive, and sections 2026 to 2039 inclusive, of the act, approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws, three hundred nine) entitled “An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith,” but the repeal of the aforesaid sections of said act shall not in anywise affect any proceedings begun prior to the effective date of this act under section 2029 of said act as amended.

The act approved the nineteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eleven hundred sixteen), entitled “An act to amend an act, approved the first day of June, one thousand nine hundred fifteen, entitled ‘An act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled ‘An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith.’ ” ”

The act, approved the eighteenth day of April, one thousand nine hundred nineteen (Pamphlet Laws, seventy-five), entitled “An act to amend section two thousand thirty-four of article twenty of an act, entitled ‘An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith,’ approved the eighteenth day of May, one thousand nine hundred and eleven, by authorizing and empowering the State Board of Education to make purchases and sales of real estate, or other property, for normal schools purchased by the State, and prescribing the disposition of the proceeds of any such sales.”

The act approved the twenty-sixth day of April, one thousand nine hundred twenty-one (Pamphlet Laws, two hundred eighty-one), entitled “An act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled ‘An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent

therewith,' by adding to article twenty thereof section two thousand forty."

Section one of the act approved the twentieth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, nine hundred forty-two), entitled "An act to amend section two thousand twenty-one of an act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith,' and repealing sections two thousand twenty-two, two thousand twenty-three, two thousand twenty-four, and two thousand twenty-five thereof."

Excepting sections 1, 2, 201 to 203 inclusive, 205, 208, 209, 2804, 2901 and 2902 thereof, the act approved the seventh day of June, one thousand nine hundred twenty-three (Pamphlet Laws, four hundred ninety-eight), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and certain existing and certain new administrative departments, boards, commissions, and officers; abolishing, combining, changing the names of, reorganizing or authorizing the reorganization of certain administrative departments, boards, commissions, bureaus, divisions, offices, and agencies; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, and commissions; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined."

Excepting sections, 2, 3, 4, 5 and 7 thereof, the act approved the thirteenth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, two hundred seven), entitled "An act to amend the act, approved the seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, four hundred and ninety-eight), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing, and certain new administrative departments, boards, commissions, and officers; abolishing, combining, changing the names of, reorganizing or authorizing the reorganization of certain administrative departments, boards, commissions, bureaus, divisions, offices, and agencies; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, and commissions; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commis-

sions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined;’ further reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, the existing administrative departments, a new administrative department to be known as the Department of Revenue, and certain existing and certain new administrative boards, commissions, and officers; abolishing, changing the names or terms of, reorganizing, or authorizing the reorganization of, certain administrative boards, commissions, bureaus, offices, and agencies; reorganizing the Department of Internal Affairs; modifying the powers and duties of the Governor, and certain other executive and administrative officers, and of certain administrative departments, boards, and commissions; and defining the powers and duties of certain existing, and certain new administrative departments, boards, commissions, and officers; increasing the salaries of certain executive and administrative officers; and providing for the appointment of, and fixing the compensation of, or prescribing the manner in which compensation shall be fixed, for certain additional administrative officers, and of and for the deputies and other assistants and employes in the Department of Internal Affairs, the Department of Revenue, and in certain existing, and certain new administrative boards and commissions.”

In so far as the sections of said act, approved the seventh day of June, one thousand nine hundred twenty-three, and of said act, approved the thirteenth day of April, one thousand nine hundred twenty-seven, not repealed by the foregoing provisions of this section, are supplied by or inconsistent with the provisions of this act, they are hereby repealed.

Section 3002. All other acts or parts of acts inconsistent herewith are hereby repealed.

Approved—The 9th day of April, A. D. 1929.

JOHN S. FISHER

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